Frankish-Muslim Diplomatic Relations

and the

Shared Minority Discourse

in the

Eastern Mediterranean

517-692 AH/1123-1293 AD

by

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A thesis submitted in conformity with the requirements for the degree of the
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Part I

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Abstract

This dissertation examines the link between Christian-Muslim diplomatic relations and the conditions of confessional minorities in the medieval Eastern Mediterranean. It begins with a preliminary analysis of the legal and ideological frameworks that guided Christian and Muslim rulers in their policies towards minorities. It then surveys how these rulers involved minorities in their negotiations, upholding or challenging these frameworks, from the earliest Christian-Muslim encounters in the first/seventh century to the Norman and Seljuk invasions of Sicily and Anatolia in the fourth/eleventh century. The dissertation then shifts focus towards the Frankish Coastal Plain (Arabic: al-Sāḥil; Old French: Outremer) and Islamic Greater Syria (Arabic: Bilād al-Shām; Latin: Major Syria) from the First Crusade (488-492/1095-1099) to the conquest of the last Frankish stronghold of Acre by the Mamlūk sultan al-Ashraf Khalīl (689-693/1290-1293) in 690/1291. This dissertation offers a new analysis of Christian-Muslim relations that considers post-crusade developments in diplomatic practices as part of a continuum originating with relations between Byzantine emperors and Umayyad caliphs and their concerns over the welfare of minorities. It shows how rulers projected their authority by including minorities in their negotiations and how changes in the relations between rulers brought about the improvement or worsening of minority conditions throughout Mediterranean history. It also argues that the expressive (or symbolic) actions used to target minorities, or challenge the ability of rulers to protect them, were mutually intelligible across confessional divides. Thus, Frankish and Muslim rulers shared a common language of diplomacy that involved diplomatic conventions, such as gift-exchange, and they also shared a conceptualization of authority tied to their treatment of minorities and their ability to protect minorities that had evolved out of earlier discourses.

Relations diplomatiques franco-musulmanes et le discours minoritaire partagé en Méditerranée orientale, 517-692 AH/1123-1293 AD

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Abstrait

Cette thèse examine le lien entre les relations diplomatiques franco-musulmanes et la situation des minorités religieuses dans le Méditerranée orientale en commençant avec une analyse des cadres juridiques et idéologiques influençant les dirigeants médiévaux et leurs politiques envers les minorités religieuses. Elle explore ensuite comment les dirigeants chrétiens et musulmans ont impliqué les minorités dans leurs négociations, en commençant par leurs premières rencontres durant le Ie/VIIe siècle jusqu'aux les invasions Normandes et Seljukides. La thèse ensuite se concentre sur la Plaine Côtière (al-Sāḥil; Outremer) sous le régime franc et la Syrie (Bilād al-Shām; Major Syria) commençant avec la première croisade (488-492/1095-1099) et continuant jusqu'à la conquête du dernier bastion franc par le Mamlûk chef al-Ashraf Khalīl en 690/1291. Cette thèse offre une analyse nouvelle de relations franco-musulmanes, en considérant la période après la première croisade comme faisant partis d'une continuité qui a pour origine les rapports entre Byzance, le califat Umayyade et leurs inquiétude envers les conditions des minorités à l'étranger. Elle montre comment ces dirigeants ont projeté leur autorité par l'inclusion des minorités dans leurs discours et comment l'irrégularité de relations entre tous ces dirigeants a affecté les minorités. Elle suggère que les actions expressives (ou symboliques) étaient conçu pour cibler les minorités et forcer les dirigeants s'identifiants aves celles-ci. Ces actions furent donc reconnaissables par chaque parti. De fait, on observe que les dirigeants francs et musulmans parlaient une langue diplomatique commune—comme la pratique d'échange de dons—et ils ont participé aussi à une conceptualisation partagée de l'autorité dans laquelle la représentation des minorités figure.

العلاقات الدبلوماسية بين اللإفرنج والمسلمين والخطاب الأقلية المشتركة في شرق البحر المتوسط ٥١٧-٦٩٢ هـ١١٢٣١-١٢٩٣ م
دكتوراه في دراسات العصور الوسطى، ٢٠١٩
بغدان شيزر سمرانداش
مركز لدراسات القرون الوسطى
جامعة تورنتو

ملخص

تحاول هذه الأطروحة الربط بين العلاقات الدبلوماسية بين المسلمين والمسيحين كطرف في هذه العلاقة، وبين أوضاع الأقليات الدينية كطرف أخر. وتبدأ الأطروحة بتحليل الأطر القانونية والفكرية التي تؤثر على الحكام في سياساتهم بالنسبة إلى الأقليات. ثم تتبع محاولة معرفة كيفية استخدام الحكام لها فيما يخص شؤون الأقليات في مفاوضاتهم، خلال العلاقات الأولى بين المسلمين والمسيحيين إلى حين الفتوحات النورمانية والسلاجقة في القرن الرابع هجري١السابع ميلادي. بعد ذلك تركز على السهل الساحلي الذي كان تحت سيطرة الإفرنج آنذاك، وبلاد الشام التي كانت تحت سيطرة المسلمين وذلك يشمل الفترة من الدولة الإفرنجية حتى الاستيلاء على أخر حصون الفرنجة هناك على يد السلطان المملوكي الأشرف خليل في ٦٩٠هـ \ ١٢٩١م. تعرض هذه الأطروحة تحليلاً جديداً في تأريخ العلاقات الدبلوماسية باعتبار العلاقات جزء من الاستمرارية الحوارية التي بدأتها العلاقات بين الأمويين والبيزنطيين ومخاوفهم فيما تتعلق برعاية الأقليات وتعرض كيف تحكم الحكام سلطتهم بضمين الأقليات في مفاوضاتهم وكيف تتأثر أوضاع الأقليات كماً في السهل الساحلي وبلاد الشام بسبب التغييرات في العلاقات الدبلوماسية. إضافة إلى ذلك، كانت الإجراءات التعبيرية أو الرمزية التي استخدمها الحكام لتؤذي الأقليات مفهومة على الرغم من اختلافاتهم الدينية. وهكذا حكى المسلمون والمسيحيون لغة مشتركة تضمنت اهتمام بشؤون الأقليات، لأنهم شاركوا مفاهيم السلطة التي تنطوي على رعاية الأقليات.

وقُوتِلوا أَشَدَّ قِتالٍ رَءَاهُ أَحَدٌ مِن الناسِ كُلُّ واحدٍ مِن الفَريقين يَرى ذَلِكَ دِيْناً وَحَتْماً واجِباً

It was a forceful clash such that no one had seen before,
with each of the two sides acting as though it was a spiritual and binding obligation.

-Ibn al-Athīr

...nec facile erat discernere utra protervius contra communes adversarios arma corriperet manus...
erat namque nostris militibus cum Damascenis cohortibus animorum par affectus
et consonans desiderium.

Nor was it easy to discern which side was more audacious in taking arms against the common enemies... our soldiers were equally moved in spirit as the Damascenes and matched them in determination.

-William of Tyre

وَأَنِسَ البَعْضُ بِالبَعْضِ بِحَيْثُ أَنْ كانَتْ الطائِفَتانِ تَتَحَدّثانِ وَتَتَرَكانِ القِتالَ

They all became friendly; both sides conversed and abandoned fighting.

-Abū l-Maḥāsin (Ibn Shaddād)

Car encore seient il Suriens et Grifons ou Judes ou Samaritans ou Nestourins ou Sarasins
si sont il auci homes come les Frans

Even if they are Syrians and Greeks, or Jews, or Samaritans, or Nestorians, or Saracens, they are all still men like the Franks.

-*Livre des assises* (c. 1290 manuscript)

أَنا فارِسٌ مِن جِنسي وَقَوْمي

"I am a knight of my race and people..."

-Usāma ibn Munqidh

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Abbreviations

Languages:

Ar.	Arabic
Ct.	Catalan
Fr.	French
Ln.	Latin
O. Fr.	Old French language group
Tk.	Turkic language group
var.	variant spelling

Archives:

ACA	Arxiu de la Corona d'Aragó, Barcelona
AHN	Archivo Histórico Nacional, Madrid
ASG	Archivio di Stato di Genova
RAHM	Real Academia de la Historia de Madrid

Editions:

EPR	*Epistolae pontificum romanorum ineditae*
MGH	*Monumenta Germaniae Historica*
RPR	*Regesta pontificum romanorum ab condita Ecclesia ad annum post Christum Natum 1198*
RRH	*Regesta regni Hierosolymitani*

Note on Transliterations and Proper Names

Arabic words are rendered according to the International Journal of Middle Eastern Studies Transliteration Guide with some modifications: publishers with Arabic names are written with diacritical marks; texts in Arabic or Latin are not fully capitalized according to English norms; and the definite article *al-* is not elided when preceded by *wa-*. The modern English equivalents of modern Arabic and Hebrew placenames are preferred, with the medieval placenames provided in brackets where appropriate (modern placenames are indicated as such). In some cases, medieval Arabic and Latin placenames are used for sites that are not commonplace in western historiography, with the modern spelling provided in brackets, e.g.: Acre (Arabic: ʿAkkā; Latin: Accon); Nablus (Arabic: Nāblus; Latin: Neapolis); and Jammāʿīl (modern Arabic: Jamma'in). The names of individuals and groups are rendered as their contemporaries would have rendered them, favouring an individual's or group's own cultural designation, except in cases where the name has a modern English equivalent, e.g.: Ṣalāḥ al-Dīn, not Abū al-Muẓaffar or Saladin or Salaadinus; Richard, not Ricardus; William not Willelmus or Guillaume; Abū al-Maḥāsin and Abū al-Muẓaffar (following Abū Shāma's usage) not Ibn Shaddād or Sibṭ ibn al-Jawzī; but Ibn al-Athīr not ʿIzz al-Dīn or Abū al-Ḥasan ʿAlī. This reflects contemporary usage and avoids confusion of similar names (e.g. [Bahā al-Dīn] ibn Shaddād and [ʿIzz al-Dīn] ibn Shaddād; ʿImād al-Dīn [al-Iṣfahānī] and ʿImād al-Dīn [Zengi]). Offices are not capitalized unless they appear as titles, and *dhimma* is capitalized with reference to its codification in Islamic law and political theory and not capitalized when it is used as an adjective.

Introduction

i. Background

This thesis focuses on the two-hundred-year period of intense interfaith interaction that took place from 1097-1291 in the Gregorian calendar, or 491-690 in the Islamic calendar, in the coastal and inland regions of the eastern Mediterranean Sea (Ar. Baḥr al-Maghrib/Baḥr al-Rūm; Ln. Mare Mediterraneum) comprising Egypt (Ar. Diyār al-Miṣrīya, Miṣr; Ln. Aegyptus), Historic Palestine (Ar. Jund Filisṭīn; Ln. Palaestina Prima and Jund al-Urdunn; Ln. Palaestina Secunda), and Greater Syria (Arabic: Bilād al-Shām; Latin: Syria, Major Syria). This interval of time witnessed an encounter, or more precisely, a series of encounters, between groups of Christians from what is now known as Western Europe and local Christian, Jewish, and Muslim communities of various denominations and of various Middle Eastern, Central Asian, and African ethnicities.

This series of encounters began, but did not originate with, the arrival of the first crusaders (488-492 AH/1095-1099 AD) in Byzantine Anatolia (Ar. Bilād al-Rūm; Ln. Romania). They owed the success of their expedition in part to the fragmented political landscape that they encountered on their route from Anatolia to Southern Palestine. The local Arab dynasts and Seljuk princes and regents governed small city-states and competed for control over remnants of the once-formidable Seljuk sultanate, and were unable to resist the sudden invasion and unified front of the crusaders. Within two decades following the First Crusade, the European invaders—known collectively to medieval Arabic-speakers as “the Franks” (Firanj, Faranj, al-Ifranj) and associated with regions “from beyond the Sea”

(*min khalf al-baḥr*)—had established several power bases along the Coastal Plain (Ar. al-Sāḥil) of Palestine: the County of Edessa, the Principality of Antioch, the County of Tripoli, and the Kingdom of Jerusalem (*regnum Hierosolymorum*) also known among modern Anglophone historians as the "Latin Kingdom of Jerusalem".[1] Many of the local Christians, Jews, and Muslims suffered the attacks and deprivations of the conquerors and many abandoned their villages and towns. Some Christian, Jewish, and Muslim communities, however, remained under Frankish rule, and some even flourished under the new regimes.

Once in control of the major coastal ports and fertile inland regions, the primary weakness of the Frankish kingdoms was not one of inadequate financial resources but of demographics.[2] The outnumbered Franks depended on the recruiting efforts of the Papal See, the head of the Latin Church in Rome, charismatic preachers, and European monarchs and noble families to ensure that other western Christians would take up the call of subsequent crusades or reinforce the Frankish centres guarding the coasts and rural hinterlands and the pilgrimage routes linking them.[3] These regions included the Holy Land (Arabic: al-Arḍ al-Muqaddasa; Latin: Terra Sancta), within which Jerusalem had come to represent greater spiritual significance for Muslims, following the crusader conquests.[4] Despite all the crusade propaganda, the Franks actually relied on alliances with Muslim rulers in intrafaith and interfaith squabbles from the moment of their arrival in the East.

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[1] Through a process of ethnogenesis, Latin Christians abroad came to recognize themselves as a coherent group: the Franks (Ln: *Francos*; Gr. *Phrangoi*). See Robert Bartlett, *The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350* (London: Allen Lane, 1993), pp. 101-5.

[2] Prawer, "Social Classes", 59; Alan V. Murray, "The Demographics of Urban Space in Crusade-Period Jerusalem (1099-1187)", in *Urban Space in the Middle Ages and the Early Modern Age*, ed. Albrecht Classen (Berlin: Walter de Gruyter, 2009), pp. 211-2, 214-217; Nora Berend, "The Expansion of Latin Christendom", in *The Central Middle Ages: Europe 950-1320*, ed. Daniel Power (Oxford: Oxford University Press, 2006), p. 200; cf. Ellenblum, *Rural Settlement*, pp. 9, 29–31.

[3] R. C. Smail, "The International Status of the Latin Kingdom of Jerusalem, 1150-1192", in *The Eastern Mediterranean Lands in the Period of the Crusades*, ed. P. M. Holt (Warminster: Aris & Phillips Ltd., 1977), pp. 23-43.

[4] See Ch. 1, section i.

However, from the mid-sixth/twelfth century, the Franks faced powerful Muslim rulers who mustered larger armies and reinforced control over their territories by means of sophisticated bureaucracies.[5] The Franks henceforth placed greater emphasis on reaching ententes and securing the release of prisoners by diplomatic processes; negotiations to free Frankish captives were also made necessary by the chronic problem of inferior numbers among the Frankish military class.[6] Certain elements among the Frankish elite continued to promote holy war and shunned efforts towards reconciliation, as demonstrated by repeated attempts on the part of members of the Frankish nobility or military orders to sabotage negotiations.[7] In such circumstances, a ruler's honour and authority could depend simultaneously on safeguarding diplomatic agreements with Muslims, or breaking them, which often involved targeting unsuspecting persons or groups. By the late sixth/twelfth century, the Frankish ruling elite more often safeguarded Muslims living in or passing through their domains from harassment by their co-religionists since such actions came to provoke severe retaliation on the part of their increasingly powerful Muslim neighbours.

Meanwhile, the successors of the Seljuk princes established new power bases in the former empire's lands. As Muslim rulers, they had developed a sense of responsibility for Muslims living inside and outside their domains as their polities and expressions of authority expanded. A series of Muslim rulers also made full use of the propaganda of the

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[5] In this thesis, I use only the first definition of bureaucracy adduced by Stephen Charles Fairbanks "in its organizational sense to mean, literally, 'government by bureaus,' or 'government by officials.'" Stephen Charles Fairbanks, "The *Tārīkh al-vuzarā'*: A History of the Saljuq Bureaucracy", PhD Dissertation, University of Michigan, 1977, p. 69.

[6] Yvonne Friedman, *Encounter between Enemies: Captivity and Ransom in the Latin Kingdom of Jerusalem* (Leiden: Brill, 2002), p. 10.

[7] For example, the Templars ambushed an envoy of the Nizārī Ismāʿīlīs in 570/1174 after he had ratified a truce with the king of Jerusalem (see Chapter 2).

jihād al-Ifranj (the *jihād* against the Franks) to consolidate power in Greater Syria and gradually diminish the Frankish coastal territories. The political success of the Ayyūbid Dynasty, founded by "Ṣalāḥ al-Dīn" Yūsuf ibn Ayyūb (569-589/1174-1193), posed an especially daunting challenge to the Franks not only because of its immediate threat to Frankish territorial holdings, but because the confederacy came to subsume a host of Christian communities who were no longer protected by the Franks and therefore not under the authority of the Latin Church. Furthermore, the Ayyūbids' unification of Egypt and Greater Syria broadened its horizons and effectively placed the confederacy on the Mediterranean map. The overthrow of the Ismāʿīlī Fāṭimid caliphate by Ṣalāḥ al-Dīn in 566/1171 ended both its doctrinal challenge to ʿAbbāsid authority and its role in trans-Mediterranean diplomacy. From the reign of Ṣalāḥ al-Dīn onwards, the Ayyūbids came to represent Islam in the East and their courts attracted papal and royal embassies from the West. The Ayyūbid conquest of Jerusalem also triggered a series of military campaigns beginning with the Third Crusade (585-588/1189-1192), which all failed to solidify the Latin Christian hold over the Coastal Plain and the remaining fortified centres in the Transjordan.

The failure of all subsequent crusades forced the Latin Church to take a different approach. From the seventh/thirteenth century, the papacy organized missions to attempt converting non-Christians (see Chapter 8). Papal envoys also expressed concerns about the conditions of all Christians living in Islamic territories, fearing their conversion to Islam. Therefore, at around the same time, i.e. the late sixth/twelfth century, Muslims living under Frankish rule and Christians living under Muslim rule started to figure more prominently in negotiations between Christian and Muslim rulers, which also points to the development

of a wider pan-Mediterranean strategy. And these rulers did not only seek political advantages from rivals of another faith; their legitimacy vis-à-vis potential rivals also depended on their ability to represent and protect extraterritorial co-religionists. It is this gradual shift in the representation of minorities in long-distance diplomacy that inspires my inquiry into Frankish-Muslim relations through an unconventional lens, that is, by incorporating ruler-minority relations into a study of Mediterranean diplomacy.

ii. Thesis Structure

This thesis begins with some of the earliest Byzantine-Umayyad diplomatic encounters and ends with the relations between the Mamlūks of Egypt and the Solomonids of Ethiopia in the ninth/fifteenth century. However, the focus of research is the period from the sixth/twelfth to the seventh/thirteenth century. This broad chronological scope is necessary for demonstrating that certain attitudes towards minorities and trends in the conduct of diplomacy prior to the crusades informed developments in this 200-year period and continued to manifest long after the Mamlūks. The main premise of this thesis is that incorporating the situation of minorities into a study of diplomatic relations between Frankish and Muslim rulers can provide new insights on Christian-Muslim relations across the Mediterranean and adds a sociological dimension to a field that often privileges either economic or ideological determinants as driving forces in interfaith relations. The proposed approach requires familiarity with several facets of medieval Mediterranean history and a rudimentary understanding of certain concepts in anthropology. The many historiographical strands that inform my approach are the focus of the first chapter.

Demonstrating that minorities were regularly and purposefully implicated in negotiations, and explaining why, requires a survey of the many stages in the trajectory of diplomacy in which minorities were recognized and represented. It also requires considering wider Mediterranean politics since minorities were represented by various regional and cross-regional authorities at different times. The second chapter is devoted to investigating origin points for conceptualizations of the place of minorities in Christian and Islamic societies and the third chapter examines how rulers actually treated their own minorities and expressed concerns regarding the treatment of minorities by other rulers. In these two chapters, I argue that rulers across the medieval Mediterranean repeatedly partook in a shared discourse during their negotiations that engaged notions of authority with the status and conditions of minorities.

The focus of the thesis then shifts to the period following the First Crusade and its aftermath. In the fourth chapter, I examine how Frankish and Muslim rulers came to recognize the importance of protecting co-religionists living abroad as well as each other's co-religionists when developing diplomatic relations. The fifth chapter reinforces this line of argument by demonstrating that, inversely, breakdowns in diplomatic relations often translated into a worsening in the conditions of minorities. Predictably, intentional assaults on minorities could therefore disrupt diplomatic relations between rulers. The sixth chapter examines how similar conceptualizations of minorities among Franks and Muslims could lead to a unique kind of diplomatic agreement, which I call the partition truce. These agreements benefitted minorities residing in the "partitioned" lands regardless of their confessional identities.

The last section of the dissertation assesses whether the historical record reflects overall the emergence of a pan-Mediterranean outlook among Frankish and Muslim rulers based on how minorities were represented in negotiations and how Frankish and Muslim rulers wrangled over their welfare during their political struggles. In the seventh chapter, I argue that complex negotiations also required sophisticated bureaucracies and standardized conceptualizations of offices, especially diplomatic ones, and that Muslim rulers, and the Mamlūks in particular, were able to institutionalize diplomacy sooner and more effectively than the Franks. The eighth chapter brings all these various developments together to demonstrate that Frankish and Muslim rulers gradually began dispatching envoys across the Mediterranean and incorporating minorities in their negotiations in the sixth/twelfth century as a result of the accumulation of territory and the concurrent elaboration of notions of universal authority.

iii. Sources

The sources for this thesis include chronicles, truces, chancery letters, Arabic belles-lettres (*adab*), including prose and poetry, and travel accounts. In this section, I construct a basic taxonomy of sources, while introducing some representative texts. This taxonomy comprises narrative, prescriptive, and performative sources. Many of the texts introduced below share one or more of these characterizations in combination but can still stand out as distinctively or predominantly narrative, prescriptive, or performative.

The *Kitāb al-iʿtibār* (*The Book of Learning by Example*) of Usāma ibn Munqidh (488-584/1095-1188), variously called an "autobiography", "memoire", and "self-text"; the

Chronicon (Chronicle) of William of Tyre, royal tutor in the court of the Kingdom of Jerusalem; and a local history composed by the tenth/sixteenth century scholar Shams al-Dīn Muḥammad ibn ʿAlī ibn Ṭūlūn all recount episodes of Frankish-Muslim interaction, including negotiations and violations of truces.[8] These sources all belong to different genres (*adab*, chronicle, and a family chronicle coupled with *faḍāʾil*, i.e. "merits" of places literature), but they all share a narrative character since they contain accounts describing events that have occurred in chronological order. They can be classed as narrative source material.[9]

The next group of sources consists of material of a prescriptive quality, as exemplified by truces, safe-conducts, and other kinds of agreements. These sources prescribe courses of action or set out specific stipulations for implementation. Examples in this grouping include Ibn Faḍl Allāh al-ʿUmarī's (c. 700-749/1300-1349) *Taʿrīf bi al-muṣṭalaḥ al-sharīf* (*The Know-How of the Noble Procedures*) and the comprehensive encyclopaedia of secretarial knowledge composed by the chancery scribe Shihāb al-Dīn Abū al-ʿAbbās Aḥmad al-Qalqashandī (756-821/1355-1418), called the *Ṣubḥ al-aʿshā fī ṣināʿat al-inshāʾ* (*Daybreak for the Night-Blind Regarding the Composition of Chancery*

[8] Usāma ibn Munqidh, *Kitāb al-iʿtibār*, ed. Philip K. Hitti (Beirut: Dār al-Kutub al-ʿIlmīya, 1999); trans. Paul M. Cobb, *The Book of Contemplation: Islam and the Crusades* (London: Penguin, 2008); William of Tyre, *Chronicon*, ed. R. B. C. Huygens, 2 Vols. [Corpus Christianorum Continuatio Mediaeualis 63-63A] (Turnhout: Brepols, 1986); trans. Emily A. Babcock, August C. Krey, *A History of Deeds Done Beyond the Sea*, 2 Vols. (New York: Columbia University Press, 1943); Muḥammad ibn Ṭūlūn al-Ṣāliḥī, *Al-Qalāʾid al-jawharīya fī tārīkh al-Ṣāliḥīya*, ed. Muḥammad Aḥmad Duhmān, 2 Vols. (Damascus: Maktab al-Dirāsat al-Islamīya fī Dimashq, 1949-1956).

[9] For this section, I have modified the bipartite categorizations for sources used by Hayden White (descriptive annal v. narrative chronicle) and Graeme Dunphy (descriptive v. performative text). Hayden White, "The Value of Narrativity in the Representation of Reality", *Critical Inquiry* 7.1 (1980): 5-27; Graeme Dunphy, "Chronicles as Performative Texts: how an ostensibly constative activity affects the world around it", Paper read at the 3rd Biennial Oxford/Cambridge International Chronicles Symposium: Bonds, Links, and Ties in Medieval and Renaissance Chronicles (The Ioannou Centre for Classical and Byzantine Studies, University of Oxford, 5-7 July 2012).

Documents).[10] The *Ṣubḥ al-aʿshā* contains copies of several Frankish-Muslim truces, which provide the most promising material for tracing the development of diplomatic agreements.[11] Other truces can be found in Mamlūk chronicles.[12]

The next grouping of sources carries a performative function; they do not describe events as they happened, nor do they serve as instructions or templates for action. Rather, performative texts sought to shape perspectives, create consensus, and inspire action through the use of rhetoric. The chancery letters of the Ayyūbid chief secretary known in his time as al-Qāḍī al-Fāḍil (the Eminent Judge) are examples of texts in this category.[13] Letters of this vast corpus usually contain elaborate dedications that depict the addressee as an upholder of Islam and protector of Muslims.[14] These praises are embedded in titular formulae, similes, and metaphors.[15] Letters exchanged between Ayyūbid sultans and Byzantine emperors likewise reveal the expectations and demands of rulers. This category of sources also includes investiture documents, which can show how the ʿAbbāsid caliphs perceived and legitimated a sultan's authority.[16]

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[10] I have borrowed this translation of the *Ṣubḥ*'s title from Dr. Andrew Marsham (University of Edinburgh).

[11] Aḥmad ibn ʿAlī Shihāb al-Dīn al-Qalqashandī, *Kitāb ṣubḥ al-aʿshā fī ṣināʿat al-inshāʾ*, ed. Muḥammad ʿAbd al-Rasūl Ibrāhīm, 14 Vols. (Cairo: Maṭbaʿa al-Amīrīya, 1913-1920); selected Frankish-Muslim truces are translated in P. M. Holt, *Early Mamluk Diplomacy, 1260-1290: Treaties of Baybars and Qalāwūn with Christian Rulers* (Leiden: E. J. Brill, 1995).

[12] E.g. Ibn ʿAbd al-Ẓahir, *Al-Rawḍ al-zāhir fī sīrat al-malik al-Ẓāhir*, ed. ʿAbd al-ʿAzīz al-Khuwayṭir (Riyad: al-Khuwayṭir, 1976); Rukn al-Dīn Baybars al-Manṣūrī, *Zubdat al-fikra fī tārīkh al-Hijra*, ed. Donald S. Richards (Beirut: Dār al-Nashr al-ʿArabī, 1998).

[13] See Ibrāhīm al-Ḥafṣī, *Correspondance officielle et priveé d'al-Qāḍī al-Fāḍil*, Doctoral Dissertation (Université de Paris IV-Sorbonne, 1979), pp. 3-6 for manuscripts and editions. The thesis itself contains 430 letters attributed to al-Qāḍī al-Fāḍil.

[14] E.g.: a report addressed to the Ayyūbid sultan al-Malik al-Muẓaffar Taqī al-Dīn (d. 586/1191) is preserved in a collection of al-Qāḍī al-Fāḍil's letters in Cambridge: University Library Cambridge, MS Qq. 232[8], ff. 22v-24r, copied in 1171 AH/1758 AD.

[15] Of course al-Qāḍī al-Fāḍil's letters also contain descriptive accounts and narrative details that are useful for studying Frankish-Muslim relations.

[16] Saïd Arjomand, "Legitimacy and Political Organisation: Caliphs, Kings and Regimes", in *The New Cambridge History of Islam Volume 4. Islamic Cultures and Societies to the End of the Eighteenth Century*, ed. Robert Irwin (Cambridge: Cambridge University Press, 2010), pp. 241, 251. References to investiture diplomas can be found in ʿIzz al-Dīn Abū al-Ḥasan ʿAlī ibn al-Athīr, *Al-Kāmil fī al-tārīkh*, ed. Carolus Johannes Tornberg, 13 Vols.

Several of the texts mentioned here are re-introduced throughout the thesis, when further explanation or commentary is necessary, as the reliability of a single source can vary across contexts. Truces can reveal the attitudes of rulers but are less reliable in revealing how these attitudes translated into actions and policies *as experienced by subjects*, except when recurring stipulations point to specific sources of conflict. For example, more and more elaborate stipulations on exemptions from the law of shipwreck (*lex naufragium*) could point to the shortcomings of the "original" protections that merchants may have enjoyed in foreign lands, or they can indicate a ruler's increasingly elaborate expressions of concern over the welfare of travellers. Chroniclers could accurately recount actual events as they happened on the ground—events in which subjected populations might participate—but they could only hypothesize on the motivations behind decisions and policies, and their proximity to an event in time and space had a bearing on their accounts as well. Evidence for the topic of this thesis, as will be seen, is not readily apparent at first sight. However, once a connection between diplomacy and minority conditions is hypothesized, as though pinned on a corkboard of reminders, the evidence begins to emerge almost of its own accord.

(Leiden: E. J. Brill, 1851-1876, reprint Beirut: Dar Ṣādir, 1965), X: 417, XI: 392, 395, 422; trans. D. S. Richards, *The Chronicle of Ibn al-Athīr for the Crusading Period from al-Kāmil fī'l-ta'rīkh*, 3 Vols. (Aldershot: Ashgate, 2006), I: 108, II: 213, 215, 236.

Chapter 1: Holy Warriors in Contact Zones: A Condensed Historiographical Survey

This study of diplomacy and minorities is situated at the intersection of several established fields and disciplinary approaches. In this chapter, I highlight some of the major interventions in these areas of inquiry that have informed and provided a basis for many of the questions covered in this thesis and the methods that I use to address them.

i. Crusade Studies

Historians of the crusades have traditionally focused on the origins of crusading in medieval Europe, the role of the Latin Church and crusading propaganda, and the European experience of crusading, viewed predominantly from a western perspective and written on the basis of mainly Latin and Old French sources.[17] Numerous studies have also focused on the perspectives of Jews attacked by the first crusaders in the Rhineland.[18] The Eurocentric approach to the crusades continues to expand and offer insight, but I will survey only the state of the literature pertinent to the history of the crusades in the Near East.

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[17] The historiography of the twentieth century is far too extensive to attempt a summary here. For a comprehensive overview for studies published before 1995, see Jonathan S. C. Riley-Smith, "The Crusading Movement and Historians", in *The Oxford Illustrated History of the Crusades* (Oxford: Oxford University Press, 1995), pp. 1-14. For a more recent overview, see Christopher MacEvitt, "What Was Crusader about the Crusader States?", *Al-Masāq* 30.3 (2018): 317-30.

[18] Ivan G. Marcus, "From Politics to Martyrdom: Shifting Paradigms in the Hebrew Narratives of the 1096 Crusade Riots", *Prooftexts* 2.1 (1982): 40-52, reprinted in *Essential Papers on Judaism and Christianity in Conflict: From Late Antiquity to the Reformation*, ed. Jeremy Cohen (New York: New York University Press, 1991); Jonathan S. C. Riley-Smith, "The First Crusade and the Persecution of the Jews", in *Persecution and Toleration: Papers Read at the Twenty-Second Summer Meeting and the Twenty-Third Winter Meeting of the Ecclesiastical History Society*, ed. W. J. Sheils [Studies in Church History 21] (Oxford: Basil Blackwell, 1984), pp. 51-72; Robert Chazan, *European Jewry and the First Crusade* (Berkeley: University of California Press, 1987); Jeremy Cohen, *Sanctifying the Name of God: Jewish Martyrs and Jewish Memories of the First Crusade* (Philadelphia: University of Pennsylvania Press, 2004); Iris Shagrir, Netta Amir, "The Persecution of the Jews in the First Crusade: Liturgy, Memory and Nineteenth-Century Visual Culture", *Speculum* 92.2 (2017): 405-28.

Few scholars had studied Islamic perspectives in detail prior to the publication of Carole Hillenbrand's encyclopedic survey and her call for more balanced coverage of the period.[19] Early exceptions include Claude Cahen, a French scholar who had already taken his research in new directions with the publication of *La Syrie du nord* in 1940.[20] Emmanuel Sivan also focused on Islamic perspectives and Arabic texts in *L'Islam et la croisade*, published in 1967.[21] Other scholars, such as Hans E. Mayer, Joshua Prawer, and Joan Gilbert explored the aftermath of the crusades in the East and their impact on local societies, drawing extensively on Eastern sources.[22] More recently, Niall Christie and Paul Cobb have published revised narratives of the crusades, focusing on Islamic perspectives and expanding the work of Carole Hillenbrand. All of these works may be considered scholarly successors to the pioneering work of the author and journalist Amin Maalouf.[23] In addition, the immense cache of documents and personal letters from the Cairo Genizah has yielded

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[19] Carole Hillenbrand, *The Crusades: Islamic Perspectives* (Edinburgh: Edinburgh University Press, 1999), p. 1. In this regard, the research agenda proposed by the late Jonathan Riley-Smith in *Crusaders and Muslims in Twelfth-Century Syria*, ed. Maya Shatzmiller (Leiden: Brill, 1993), p. 3 was exceptional.

[20] Claude Cahen, *La Syrie du nord à l'époque des croisades et la principauté franque d'Antioche* [Bibliothèque orientale 1] (Paris: Institut Français de Damas, 1940). A few years prior, Cahen published a study of a chronicle from the period in question: Claude Cahen, « Une chronique Chiite au temps des croisades », *Comptes-rendus de l'Académie des Inscriptions* 3 (1935): 258-69.

[21] Emmanuel Sivan, *L'Islam et la croisade : idéologie et propagande dans les réactions musulmanes aux Croisades* (Paris: Librairie d'Amérique et d'Orient, 1967). Abderrahim Ali Nasrallah's thesis "The Enemy Perceived: Christian and Muslim Views of Each Other during the Crusades", Doctoral Dissertation, New York University, 1980 also deserves mention here.

[22] Joshua Prawer, *Mamlekhet Yerushalayim ha-tsalbanit (1099-1291)* (Jerusalem: Mosad Byaliḳ, 1946-1947); translated into French as: *Histoire du royaume latin de Jérusalem*, trans. G. Nahon (Paris: Éditions du Centre national de la recherche scientifique, 1969-1970); with an English abridgement: *The Latin Kingdom of Jerusalem: European Colonialism in the Middle Ages* (London: Weidenfeld and Nicolson, 1972); Hans E. Mayer, "Latins, Muslims and Greeks in the Latin Kingdom of Jerusalem", *History*, 63.208 (1978): 175-92; Joan E. Gilbert, "Institutionalization of Muslim Scholarship and Professionalization of the *'Ulamā'* in Medieval Damascus", *Studia Islamica* 52 (1980): 105-34; Joshua Prawer, "Social Classes in the Latin Kingdom: The 'Minorities'", in *A History of the Crusades*, eds. Kenneth M. Setton, Robert Lee Wolff, Harry Hazard, 6 Vols. (Madison: University of Wisconsin Press, 1985), pp. 59-115; Benjamin Z. Kedar, "The Subjected Muslims of the Frankish Levant", in *Muslims under Latin rule, 1100-1300*, ed. James M. Powell (Princeton: Princeton University Press, 1990), pp. 135-74, reprinted in *The Franks in the Levant, 11th to 14th centuries* (Aldershot: Ashgate Variorum, 1993).

[23] Paul M. Cobb, *The Race for Paradise: An Islamic History of the Crusades* (New York: Oxford University Press, 2014); Niall Christie, *Muslims and Crusaders: Christianity's Wars in the Middle East, 1095-1382, from the Islamic Sources* (New York: Routledge, 2014).

new evidence on the repercussions of the First Crusade as felt by Jews in the Levant and in Cairo, where the Jews collected funds for ransoming their co-religionists and books.[24]

Since the 1990s, the field of Crusade Studies has expanded substantially. Much of the emerging Anglophone and Hebrew scholarship on the Franks in the East and their relations with local Muslims was driven by Benjamin Z. Kedar, a student of Joshua Prawer, as well as his own students.[25] The term 'Latin East' proliferated as a popular geographical and chronological category of inquiry, and it served as a convenient label for the various polities established by the crusaders and their collective history.[26] New studies of a cultural–historical orientation challenged claims that the Latin East was characterized by minimal artistic or intellectual output.[27] As part of this trend towards a greater

[24] Joshua Prawer, *The History of the Jews in the Latin Kingdom of Jerusalem* (Oxford: Clarendon Press, 1988); chapter 10 of Moshe Gil, *Erets-Yiśra'el ba-teḳufah ha-muslemit ha-rishonah (634-1099)* (Tel-Aviv: Universiṭat Tel-Aviv u-Miśrad ha-bitaḥon, 1983), translated as Moshe Gil, *A History of Palestine, 634-1099*, trans. Ethel Broido (Cambridge: Cambridge University Press, 1992). See also Youval Rotman, *Byzantine Slavery and the Mediterranean World*, trans. Jane Marie Todd (Cambridge, Mass.: Harvard University Press, 2009), p. 44 and among other studies by Marina Rustow: *Heresy and the Politics of Community: the Jews of the Fatimid Caliphate* (Ithaca: Cornell University Press, 2008), esp. pp. 340-6.

[25] Benjamin Z. Kedar, Muḥammad al-Ḥajjūj, "Muslim Villagers in Frankish Palestine: Size of Family and Private Names", *Pe'amim* 45 (1990), pp. 45-57; Benjamin Z. Kedar, Muḥammad al-Ḥajjūj, "Muslim Villagers of the Frankish Kingdom of Jerusalem: Some Demographic and Onomastic Data", in *Itinéraires d'Orient : hommages à Claude Cahen*, eds. Raoul Curiel, Rika Gyselen [Res orientales 6] (Bures-sur-Yvette: Groupe pour l'Étude de la Civilisation du Moyen-Orient, 1994), pp. 145-56; Muḥammad al-Ḥajjūj, חמדאן בן עבד אל-רחים אל-את'ארבי ["Ḥamdān ibn ʿAbd al-Raḥīm al-Athāribī, A Portrait of a Syrian Ra'īs at the Beginning of the Crusades Period"], M.A. Thesis, Hebrew University of Jerusalem, 1999; Daniella Talmon-Heller, (1154-1260) דת וחברה בסוריה מנור אלדין ועד לכיבוש המונגולי ["Society and Religion in Syria from Nur al-Din to the Mongol Conquest (1154-1260)"], Doctoral Thesis, Islamic and Middle Eastern Studies, Hebrew University, 1999.

[26] Jonathan Riley-Smith traces the use of the term back to the work of Jean Richard and Joshua Prawer. Riley-Smith, "Crusading Movement", 5.

[27] Benjamin Z. Kedar, "Gerard of Nazareth, a Neglected Twelfth-Century Writer in the Latin East", *Dumbarton Oaks Papers* 37 (1983): 55-77; Adrian J. Boas, *Crusader Archaeology: The Material Culture of the Latin East* (London: Routledge, 1999); Charles Burnett, "Antioch as a Link between Arabic and Latin Culture in the Twelfth and Thirteenth Centuries", in *Occident et Proche-Orient : contacts scientifiques au temps des Croisades : actes du colloque de Louvain-la-Neuve, 24 et 25 mars 1997*, eds. Isabelle Draelants, Anne Tihon, Baudouin van den Abeele (Louvain-la-Neuve: Brepols, 2000), pp. 1-78; Jaroslav Folda, *Crusader Art in the Holy Land from the Third Crusade to the Fall of Acre: 1187-1291* (Cambridge: Cambridge University Press, 2005); Julian J. T. Yolles, "Latin Literature and Frankish Culture in the Crusader States (1098–1187)", Doctoral Dissertation, Harvard University, 2015; Kristin Skottki, *Christen, Muslime und der Erste Kreuzzug: Die Macht der Beschreibung in der mittelalterlichen und modernen Historiographie* [Cultural Encounters and the Discourses of Scholarship 7] (Münster: Waxmann, 2015).

appreciation of the cultural facets of the *iter* (literally: journey), scholars have also turned their attention towards studying the role of medieval narrativity in creating and explaining what came to be called the crusades by modern historians.[28]

Meanwhile, excavations of Frankish sites, undertaken mostly in Israel and Jordan, revealed new data on Frankish architecture and fortification, the economy and material culture, and the extensive network of rural settlements.[29] And finally, much of the new research of the late 1980s, 1990s, and 2000s continued to examine the conditions of minorities under Frankish rule: the Druze; Eastern Christians, comprising Armenians, Melkites, Jacobites, Maronites, and Nestorians; Jews, including Karaites; Shīʿī, Ismāʿīlī, and Sunnī Muslims; and Samaritans.[30] Of course, some of these groups remain understudied in

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[28] See, for example, Magali Janet, « L'écriture de la première croisade. La destinée de Renaut Porcet dans les récits des XIIe-XIIIe siècles », in *L'écriture de l'histoire au Moyen Âge : contraintes génériques, contraintes documentaires*, eds. Étienne Anheim, Pierre Chastang, Francine Mora-Lebrun, Anne Rochebouet (Paris: Classiques Garnier, 2015), pp. 311-23; Carol Symes, "Popular Literacies and the First Historians of the First Crusade", *Past & Present* 235.235 (2017): 37-67 and the recently published *The Cambridge Companion to the Literature of the Crusades*, ed. Anthony Bale (Cambridge: Cambridge University Press, 2018).

[29] Denys Pringle, *The Churches of the Crusader Kingdom of Jerusalem: A Corpus*, volumes 1-4 (Cambridge: Cambridge University Press, 1993-2009); Adrian J. Boas, "Archaeological Sources for the History of Palestine: The Frankish Period: A Unique Medieval Society Emerges", *Near Eastern Archaeology* 61.3 (1998): 138-73; Ronnie Ellenblum, *Frankish Rural Settlement in the Latin Kingdom of Jerusalem* (Cambridge: Cambridge University Press, 1998); Pringle, Denys, "Churches and Settlement in Crusader Palestine", in *The Experience of Crusading, 2: Defining the Crusader Kingdom*, eds. Peter Edbury, Jonathan Phillips (Cambridge: Cambridge University Press, 2003), pp. 161-78; Adrian J. Boas, "Some Preliminary Findings at the Teutonic Castle of Montfort", in *Christ is Here! Studies in Biblical and Christian Archaeology in Memory of Michele Piccirillo*, ed. L. D. Chrupcała (Milan: Terra Santa, 2012), pp. 11-27; Edna Stern, "Sugar Production in the 'Akko Plain from the Fatimid to the Early Ottoman Periods", in *The Origins of the Sugar Industry and the Transmission of Ancient Greek and Medieval Arab Science and Technology from the Near East to Europe: Proceedings of the International Conference Athens 23 May 2015*, ed. Konstantinos D. Politis (Athens: National and Kapodistriako University, 2015), pp. 79-112.

[30] Joseph Drory, "Ḥanbalīs of the Nablus Region in the Eleventh and Twelfth Centuries", *Asian and African Studies* 22 (1988): 93-112; Benjamin Z. Kedar, "The Frankish Period", in *The Samaritans*, ed. Alan C. Crown (Tübingen: J. C. B. Mohr, 1989), pp. 82-94; Hadia Dajani-Shakeel, "Natives and Franks in Palestine: Perceptions and Interaction", in *Conversion and Continuity: Indigenous Christian Communities in Islamic Lands, Eighth to Eighteenth Centuries*, eds. Michael Gervers, Ramzi Bikhazi (Toronto: Pontifical Institute of Mediaeval Studies, 1990), pp. 161-84; Daniela Talmon-Heller, "The Shaykh and the Community: Popular Hanbalite Islam in 12th-13th Century Jabal Nablus and Jabal Qasyūn", *Studia Islamica* 79 (1994): 103-20; Daniela Talmon-Heller, "Arabic Sources on Muslim Villagers under Frankish Rule", in *From Clermont to Jerusalem. The Crusades and Crusader Societies 1095-1500, Selected Proceedings of the International Medieval Congress*, ed. A. V. Murray (Turnhout: Brepols, 1998), pp. 103-117; Jonathan S. C. Riley-Smith, "Government and the Indigenous in the Latin Kingdom of Jerusalem", in *Medieval Frontiers: Concepts and Practices*, eds. David

part due to the lack of evidence. And scholars in Crusade Studies have traditionally depicted Muslims and Jews as single, monolithic groups, or have assumed the consistent separation and enmity between Shīʿīs and Sunnīs. Other scholars have been more mindful of the diversity of the medieval Near East.[31]

While the Latin East morphed into an area of inquiry, various inroads were being made into developments in Islamic political and intellectual history around the Frankish polities.[32] The role of the *ʿulamāʾ* in preaching the *jihād al-Ifranj* (*jihād* against the Franks) came to the forefront of research.[33] Scholars also began analyzing the sanctity of Jerusalem in Islamic thought and literature, particularly in treatises of *faḍāʾil al-Quds* (merits of Jerusalem) and its growing popularity as a pilgrimage destination.[34] Others investigated the attempts made by various dynasts to negotiate with or repel the crusaders whilst establishing their own power bases.[35] Many of these approaches branched out into new

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Abulafia, Nora Berend (Aldershot: Ashgate, 2002), pp. 121-31; idem, *The Crusades: A History*, 2nd Edn (New Haven: Yale University Press, 2005); Christopher H. MacEvitt, *The Crusades and the Christian World of the East: Rough Tolerance* (Philadelphia: University of Pennsylvania Press, 2008); Alex Mallett, *Popular Muslim Reactions to the Franks in the Levant, 1097-1291* (Farnham: Ashgate, 2014); and Prawer, *Latin Kingdom*, 51 on the Jewish, Karaite, and Samaritan congregations in Ascalon.

[31] E.g. Cobb, *Race for Paradise*, 41-4.

[32] Suhayl Zakkar, *Al-ʿAlāqāt al-duwalīya fī ʿaṣr al-ḥurūb al-Ṣalībīya* (Damascus: Al-Awāʾil li-al-Nashr wa-al-Tawzīʿ, 2006).

[33] Nikita Elisséef, "The Reaction of the Syrian Muslims after the Foundation of the First Latin Kingdom of Jerusalem", in *Crusaders and Muslims in Twelfth-Century Syria*, ed. Maya Shatzmiller (Leiden: Brill, 1993), pp. 162-72, reprinted in *The Crusades: The Essential Readings*, ed. Thomas F. Madden (Oxford: Blackwell, 2002); Daphna Ephrat, Mustafa Daud Kabha, "Muslim Reactions to the Frankish Presence in Bilād al-Shām: Intensifying Religious Fidelity within the Masses", *Al-Masāq* 15.1 (2003): 47-58; Suleiman A. Mourad, "Rescuing Syria from the Infidels: The Contribution of Ibn ʿAsakir of Damascus to the Jihad Campaign of Sultan Nur al-Din", *Crusades* 6 (2007): 37-55; Suleiman A. Mourad, James E. Lindsay, *The Intensification and Reorientation of Sunni Jihad Ideology in the Crusader Period: Ibn ʿAsākir of Damascus (1105-1176) and his Age, with an Edition and Translation of Ibn ʿAsākir's The Forty Hadiths for Inciting Jihad* (Leiden: Brill, 2013).

[34] Arzhela Rouxel, « La place de Jerusalem dans l'idéologie de Saladin », Doctoral Thesis, Université de Nantes, 1998; Niall Christie, "Jerusalem in the *Kitab Al-Jihad* of ʿAli ibn Tahir Al-Sulamī", *Medieval Encounters* 13 (2007): 209-221; Suleiman A. Mourad, "Did the Crusades Change Jerusalem's Religious Symbolism in Islam?", *Al-ʿUṣūr Al-Wusṭā The Bulletin of Middle East Medievalists* 22.1-2 (2014): 3-8; Fadi Ragheb at the Department of Near & Middle Eastern Civilizations, University of Toronto, is also researching the *faḍāʾil al-Quds*.

[35] Muṣṭafā al-Ḥiyārī, *Ṣalāḥ al-Dīn, al-qāʾid wa-ʿaṣruh* (Beirut: Dār al-Gharb al-Islāmī, 1994); Yehoshuʿa Frenkel, "Muslim Responses to the Frankish Dominion in the Near East, 1098-1291", in *The Crusades and the Near East: Cultural Histories*, ed. Conor Kostick (Abingdon: Routledge, 2011), pp. 27-54.

fields or informed existing ones, such as Mamlūk Studies and the nascent field of Ayyūbid Studies (see sections vii. and viii. below). This shift in the scope of Crusade Studies also impacted the scholarly output of the international Society for the Study of the Crusades and the Latin East (SSCLE) and its predominantly Eurocentric periodical, *Crusades*.[36]

The recent advances in the study of the crusades outlined above, and the study of the Latin East as a type of subfield of Area Studies, has led to extensive insight into Frankish society in the East and the mentalities of the crusaders, their acculturated successors, and other European immigrants, known collectively to Arabic-speakers as "the Franks". New studies on the cultural assumptions carried by western Christians to the Near East and their acculturation in the local environment are particularly important for the present study. These insights provide grounding for my arguments on the ability of the Franks to transpose, adopt, and adapt structures and discourses for creating a social order, establishing a political and confessional hierarchy in their new setting, and partaking in a conversation based on notions of honour and authority held in common by Christian and Muslim alike.

ii. The Medieval Frontier

The site at which two or more cultures interact or collide is variously described as a frontier, borderland, or contact zone. In the following section, I use the term 'frontier', which has re-emerged in medieval studies as a critical category of analysis despite its colonialist connotations. The emphasis has shifted from studying the frontier as a location

[36] Islamic and Jewish perspectives feature in Volume 7 of *Crusades* (2002).

of settlement and colonization towards more fluid or even abstract conceptualizations. The medieval frontier is now understood and recognized as a real (or imagined) site where verbal, intellectual, ideological, cultural, or material exchange takes place; as a porous non-linear space that separates or joins two more or less distinct territorial entities; and, perhaps most importantly, as an unstable and shifting zone of bidirectional contact and influence. Medievalists have located and analyzed frontiers in Anatolia, the Baltic, the British Isles, Hungary, the Iberian Peninsula, Ifriqīya, and the Southern Apennine Peninsula, and in troubadour *chansons*.[37] The shift is, in essence, a move away from a focus on physical space towards a focus on the interactions, influences, discourses, and perceptions flowing between distinct or distinguishable groups. Historians have also reconstructed medieval conceptualizations of boundaries as overlapping and competing spheres of influence emanating from urban or fortified centres.[38]

Such a fluid conceptualization of frontiers naturally led some scholars to posit the concurrence of peaceful and hostile exchange in frontier areas. In the Baltic region, for example, Rasa Mažeika has argued that the Teutonic Order demarcated special "no-man's lands" where the knights could engage in commercial activity with un-Christianized or Christianizing Livs whilst ostensibly waging holy war against the same peoples. Mažeika considers this "a fascinating glimpse into a medieval world-view which could maintain an

[37] For an overview of the 'f-word', as Nora Berend puts it, see her book *At the Gate of Christendom: Jews, Muslims and 'Pagans' in Medieval Hungary, c.1000-c.1300* (Cambridge: Cambridge University Press, 2001), pp. 6-40. See also Robert I. Burns, "The Significance of the Frontier in the Middle Ages", in *Medieval Frontier Societies*, eds. Robert Bartlett, Angus MacKay (Oxford: Oxford University Press, 1989), pp. 307-17; Linda T. Darling, "The Mediterranean as a Borderland", *Review of Middle East Studies* 46.1 (2000): 54-63.

[38] Ralph W. Brauer, "Boundaries and Frontiers in Medieval Muslim Geography", *Transactions of the American Philosophical Society, New Series* 85.6 (1995): 5, see also 13, 28, n. 47, 42-3, 65; cf. Ronnie Ellenblum, "Were there Borders and Borderlines in the Middle Ages? The Example of the Latin Kingdom of Jerusalem", in *Medieval Frontiers: Concepts and Practices*, eds. David Abulafia, Nora Berend (Aldershot: Ashgate, 2002), pp. 105-19.

officially uncompromising hostility towards infidels while at the same time dealing with them as partners in the more practical plane of economic activity."[39] Similarly, scholars have noted that in Iberia, mercenaries and merchants frequently crossed confessional divides, operating under rulers of different faiths.[40] Even some of the sources under examination in this thesis were penned by Christian or Muslim pilgrims who had travelled across frontiers. Linear and rigid boundaries did not exist—so the argument goes—and differences of faith were often negotiated or overlooked when it came to practical considerations. Many scholars have thus made a case for loose medieval concepts of borders and proposed that a *laissé-faire* attitude allowed for the free movement of merchants and other travellers, even during times of war.

Despite the recent advances in Crusade Studies outlined above, the Latin East has not received the same theoretically-driven analysis that these other areas of medieval interfaith contact have. The Latin East has not been thoroughly conceptualized as a contact zone. Yet, one aspect of the scholarship on medieval frontiers has reached the ears of medievalists specializing in the crusades and Islam, who have repeated the claim that travellers could move "freely" across the frontiers separating the Franks from their Muslim neighbours.[41] This, however, was not the case in many, if not all, Frankish-Muslim contact

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[39] Rasa Mažeika, "Of Cabbages and Knights: Trade and Trade Treaties with the Infidel on the Northern Frontier, 1200-1390", *Journal of Medieval History* 20 (1994): 65, see also 71, 74.

[40] R. A. Fletcher, "Reconquest and Crusade in Spain c. 1050-1150", *Transactions of the Royal Historical Society, Fifth Series* 37 (1987): 36; Simon Barton, "Traitors to the Faith? Christian Mercenaries in al-Andalus and the Maghreb, c.1100-1300", in *Medieval Spain: Culture, Conflict, and Coexistence: Studies in Honour of Angus MacKay*, eds. Roger Collins, Anthony Goodman (New York: Palgrave Macmillan Ltd., 2002), pp. 23-45; Brian A. Catlos, *The Victors and the Vanquished: Christians and Muslims of Catalonia and Aragon, 1050-1300* (Cambridge: Cambridge University Press, 2004), pp. 79, 290, 292ff; Hussein Fancy, "Theologies of Violence: The Recruitment of Muslim Soldiers by the Crown of Aragon", *Past & Present* 221 (2013): 39-73.

[41] Ellenblum, "Borders and Borderlines", 114; Riley-Smith, "Government and the Indigenous", 123, 126; Olivia Remie Constable, *Housing the Stranger in the Mediterranean World: Lodging, Trade, and Travel in Late Antiquity and the Middle Ages* (Cambridge: Cambridge University Press, 2003), pp. 223-4; Marwan Nader, "Urban Muslims, Latin Laws, and Legal Institutions in the Kingdom of Jerusalem", *Medieval Encounters* 13

zones. Each instance of movement across the Frankish-Muslim frontier must be analyzed in its historical context. What may apply to medieval Iberia may not apply to the Levant, even if the evidence suggests a semblance at first sight. The tools and methods developed in Frontier Studies may provide much insight into the Frankish-Muslim contact zones, but the evidence must still be analyzed on a case-by-case basis.

In the Latin East, as elsewhere, there were different "border-maintaining mechanisms" applied at different times and in different places that regulated all kinds of travel.[42] Diplomatic agreements and safe-passages ratified by Frankish and Muslim rulers restricted the flight of fugitives while ensuring the safe movement of pilgrims and merchants. Frankish rulers also issued documents of safe-passage to individual Muslim merchants for access to ports along the littoral. Nevertheless, some safe-passages were breached and the Ḥanbalī Muslims of central Samaria (the Jund al-Quds, between Jerusalem and Nablus) constantly felt threatened while working the land or delivering produce to the Frankish Coastal Plain, according to a tenth/sixteenth century source. Thus, it cannot be assumed that travellers moved safely across or within the Frankish-Muslim frontier even when diplomatic agreements were in effect. The scholarship on medieval frontiers can help situate the Frankish-Muslim one in a wider context, but historians must also remain attentive to its specificities.

(2007): 262; Michel Balivet, « Élites byzantines, latines et musulmans : quelques exemples de diplomatie personnalisée (X^e–XV^e siècles) », in *Diplomatics in the Eastern Mediterranean 1000-1500: Aspects of Cross-Cultural Communication*, eds. Alexander D. Beihammer, Maria G. Parani, Christopher D. Schabel (Leiden: Brill, 2008), p. 430; Brian A. Catlos*, Muslims of Medieval Latin Christendom, c. 1050-1614* (Cambridge: Cambridge University Press, 2014), p. 257, cf. pp. 464, 466. Similar claims have been made with regard to Muslim travellers in Frankish Jerusalem on the basis of Usāma ibn Munqidh's access to the al-Aqṣā' mosque/Templar compound: Hillenbrand, *Islamic Perspectives*, 378; Mayer, "Latin Kingdom", 186 and n. 43; Riley-Smith, "Government", 124.

[42] On the term 'border-maintaining mechanisms', see Robert I. Burns, *Islam under the Crusaders: Colonial Survival in the Thirteenth-Century Kingdom of Valencia* (Princeton: Princeton University Press, 1973), xvii; Thomas F. Glick, Oriol Pi-Sunyer, "Acculturation as an Explanatory Concept in Spanish History", *Comparative Studies in Society and History* 11.2 (1969): 140.

One can also perceive a 'communication turn' in Medieval Studies that can be deemed a possible elaboration of the more tangible side of interaction across frontiers. Scholars such as Hussein Attiya, Yvonne Friedman, Kevin James Lewis, and K. A. Tuley, among others, have brought communication, verbal and non-verbal, to the foreground of Christian-Muslim relations.[43] There is also a new appreciation for transmission of knowledge and interfaith scholarly activity in the Latin East and the wider Mediterranean, initiated and inspired by the ongoing work of Benjamin Z. Kedar—with Etan Kohlberg, Cyril Aslanov, Emilie Savage-Smith, and Charles Burnett.[44] These contributions furnish a new angle on the complexity of medieval interfaith relations, and place emphasis on the various ways in which people negotiated the linguistic and ideological barriers in medieval contact zones. This new emphasis also informs a central premise in this thesis, namely that Christian and Muslim rulers were constantly communicating through various means: by

[43] Hussein M. Attiya, "Knowledge of Arabic in the Crusader States in the Twelfth and Thirteenth Centuries", *Journal of Medieval History* 25.3 (1999): 203-213; Yvonne Friedman, "Gestures of Conciliation? Peacemaking Endeavours and Cultural Consequences", in *In Laudem Hierosolymitani*, eds. Iris Shagrir, Ronnie Ellenblum, Jonathan Riley-Smith, *Crusades - Subsidia* 1 (2007): 31-48; Alexander Daniel Beihammer, "Eastern Mediterranean Diplomatics: The Present State of Research", in *Diplomatics in the Eastern Mediterranean 1000-1500: Aspects of Cross-Cultural Communication*, eds. Alexander Daniel Beihammer, Maria G. Parani, Christopher David Schabel (Leiden: Brill, 2008), pp. 1-2; Yvonne Friedman, "Peacemaking Perceptions and Practices in the Medieval Latin East", in *The Crusades and the Near East*, ed. Conor Kostick (Abingdon: Routledge, 2011), pp. 229-257; Kevin James Lewis, "Medieval Diglossia: The Diversity of the Latin Christian Encounter with Written and Spoken Arabic in the "Crusader" County of Tripoli, with a Hitherto Unpublished Arabic Note from the Principality of Antioch (MS, AOM 3, Valletta: National Library of Malta, no. 51v)", *Al-Masāq: Journal of the Medieval Mediterranean* 27.2 (2015): 119-52; K. A. Tuley, "Multilingualism and Power in the Latin East", in *Multilingualism in the Middle Ages and Early Modern Age: Communication and Miscommunication in the Premodern World*, ed. Albrecht Classen (Berlin: De Gruyter, 2016), pp. 177-206; Bogdan C. Smarandache, "Re-Examining Usāma ibn Munqidh's Knowledge of "Frankish": A Case-Study of Medieval Bilingualism during the Crusades", *The Medieval Globe* 3.1 (2017): 47-86; see also Alan V. Murray, "Henry the Interpreter: Language, Orality and Communication in the Thirteenth-century Livonian Mission", in *Crusading and Chronicle Writing on the Medieval Baltic Frontier*, eds. Marek Tamm, Linda Kaljundi, Carsten Selch Jensen (Farnham: Ashgate, 2011), pp. 107-34.

[44] Benjamin Z. Kedar, Etan Kohlberg, "The Intercultural Career of Theodore of Antioch", *Mediterranean Historical Review* 10 (1995): 164-76; Cyril Aslanov, "Languages in Contact in the Latin East: Acre and Cyprus", *Crusades* 1 (2002): 155-81; Emilie Savage-Smith, "New Evidence for the Frankish Study of Arabic Medical Texts in the Crusader Period", *Crusades* 5 (2006): 99-112; Charles Burnett, "Stephen, the Disciple of Philosophy, and the Exchange of Medical Learning in Antioch", *Crusades* 5 (2006): 113-29.

letter and envoy; in person or through interpreters; through gift-exchange; and through symbolic gestures.

iii. Frankish-Muslim Diplomacy

New studies on Frankish-Muslim diplomatic relations seem to comprise a separate field altogether; its proponents have exhibited deep knowledge of Crusade Studies, Islamic Studies, and some of the peculiarities of the Frankish-Muslim frontier. Scholars in the field of Mamlūk Studies have also contributed significantly to our understanding of diplomatic agreements and the process of negotiation, and among these some have cited earlier works on Christian-Muslim diplomacy in the medieval Iberian Peninsula, suggesting an additional source of inspiration for scholars working on the Levant and Near East.[45] Beginning in the 1970s, Linda S. Northrup, P. M. Holt, and Urbain Vermeulen—all experts in Mamlūk Studies—brought to light extensive Arabic records on negotiations and truces, focusing mainly on the late seventh/thirteenth century.[46]

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[45] See Friedman, *Captivity and Ransom*, n. 112 (p. 103).

[46] Linda S. Northrup, "Muslim-Christian Relations in the Mamlūk Period, 1279-90", M.A. Thesis, Institute of Islamic Studies, McGill University, 1974; idem, "A History of the Reign of the Mamlūk Sultan Al-Manṣūr Qalāwūn (678-689 A.H./1279-1290 A. D.)", Doctoral Dissertation, Institute of Islamic Studies, McGill University, 1982; idem, "The Baḥrī Mamlūk Sultanate, 1250-1390", in *The Cambridge History of Egypt*, eds. Carl F. Petry, M. W. Daly, 2 Vols. (Cambridge: Cambridge University Press, 1998), I: 242-89; idem, *From Slave to Sultan: The Career of Al-Manṣūr Qalāwūn and the Consolidation of Mamlūk Rule in Egypt and Syria (678-689 A.H./1279-1290 A.D.)* (Stuttgart: F. Steiner, 1998); P. M. Holt, "Qalāwūn's Treaty with Acre in 1283", *The English Historical Review* 91.361 (1976), pp. 802-812; idem, "The Treaties of the Early Mamluk Sultans with the Frankish States", *Bulletin of the School of Oriental and African Studies* 43.1 (1980): 67-76; idem, "Baybars' Treaty with the Lady of Beirut in 667/1269", in *Crusade and Settlement: Papers Read at the First Conference of the Society for the Study of the Crusaders and the Latin East, and Presented to R. C. Smail*, ed. Peter Edbury (Cardiff: University College Cardiff Press,1985), pp. 141-5; idem, "Mamluk-Frankish Diplomatic Relations in the Reign of Qalāwūn (678–89/1279–90)", *Journal of the Royal Asiatic Society* 121.2 (1989): 278-89; idem, *Early Mamluk Diplomacy*; Urbain Vermeulen, « Le traité d'armistice entre le sultan Baybars et les Hospitaliers de Ḥiṣn al-Akrād et al-Marqab (4 Ramadan 665 A.H./29 Mai 1267) », *Orientalia Lovanensia Periodica* 19 (1988): 189-95; idem, « Le traité d'armistice relatif à al-Marqab conclu entre Baybars et les Hospitaliers (1 Ramadan 669/13 Avril 1271) », *Quaderni di Studi Arabi* 8 (1990): 123-31; idem, « Le traité d'armistice relatif

The sixth/twelfth century also received new attention in the 1970s and 1980s, perhaps inspired by a series of insightful monographs on Ṣalāḥ al-Dīn and his successors by Andrew S. Ehrenkreutz, R. Stephen Humphreys, Malcolm Lyons, and D. E. P. Jackson.[47] In 1985, Michael Köhler published his first analysis of the Frankish-Muslim partition truces, a peculiar type of revenue-sharing agreement that only existed as long as the Franks maintained their hold on important Levantine ports and agricultural lands.[48] Six years later, Köhler offered a new *realpolitik* analysis of Frankish-Muslim relations, focusing mostly on the sixth/twelfth century, which was translated into English in 2013.[49] His detection and analysis of the "no-place" doctrine explains why Franks and Muslims consistently entered into alliances when a third party threatened the autonomy of either.[50] Soon after Köhler's first book, Hadia Dajani-Shakeel, a student of Andrew S. Ehrenkreutz, published a detailed article on diplomatic relations in the decades following the First Crusade.[51]

Other scholars, building on studies published in the 1970s and 1980s, reassessed the intersection of multiple lines of cooperation across the Mediterranean–Middle East

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à al-Marqab conclu entre Baybars et les Hospitaliers (1 Ramadan 669/13 Avril 1271) », *Orientalia Lovanensia Periodica* 22 (1991): 185-93.

[47] Andrew S. Ehrenkreutz, *Saladin* (Albany: State University of New York Press, 1972); R. Stephen Humphreys, *From Saladin to the Mongols: The Ayyubids of Damascus, 1193-1260* (Albany: State University of New York Press, 1977); Malcolm Cameron Lyons, D. E. P. Jackson, *Saladin: The Politics of the Holy War* (Cambridge: Cambridge University Press, 1982).

[48] Michael A. Köhler, „Munasafat: Gebietsteilungen zwischen Kreuzfahrern und islamischen Herrschern im 12. und 13. Jahrhundert", *Zeitschrift der Deutschen Morgenländischen Gesellschaft, Supplement* 6 (1983), pp. 155-65.

[49] Michael A. Köhler, *Allianzen und Verträge zwischen fränkischen und islamischen Herrschern im Vorderen Orient* (Berlin: Walter de Gruyter, 1991), translated as *Alliances and Treaties between Frankish and Muslim Rulers in the Middle East: Cross-Cultural Diplomacy in the Period of the Crusades*, trans. P. M. Holt, ed. Konrad Hirschler (Leiden: Brill, 2013).

[50] Köhler, *Allianzen und Verträge*, esp. 298-9, 306, 321-6, trans. Holt, 224-5, 230-1, 242-5; see also Lyons, Jackson, *Saladin*, 68.

[51] Hadia Dajani-Shakeel, "Diplomatic Relations between Muslims and Frankish Rulers 1097-1153 A.D.", in *Crusaders and Muslims in Twelfth-Century Syria*, ed. Maya Shatzmiller (Leiden: Brill, 1993), pp. 190-215.

nexus that accommodated or shaped Frankish-Muslim relations. Cooperation between Latin Christian monarchs in Italy or Spain and the Mongols thus had an impact on negotiations between Franks and Muslims. For example, Reuven Amitai and R. Stephen Humphreys demonstrate that Ayyūbid and Mamlūk sultans allowed the remainder of the Frankish coastal towns to stay afloat to help mitigate the threat of new crusades and, from the 650s/1260s, a Papal-Mongol alliance.[52] The Mamlūk sultan, al-Malik al-Ẓāhir Baybars al-Bunduqdārī (658-676/1260-1277), who was ultimately unsuccessful at exerting pressure by sea, recognized that excessive hostility towards the Frankish ports could invite retaliation upon Egyptian ports.[53] Merchants also navigated the complex possibilities in Mediterranean competition and cooperation. The Genoese, in competition with the Venetians, acted as intermediaries between the Byzantine emperor and the Mamlūk sultans in Cairo, whilst maintaining their own lucrative trade of slaves obtained in the Mongolian Crimea.[54] My thesis is both a regional study, insofar as it focuses on Frankish and Muslim rulers in the Levant and Greater Syria, and a trans-regional study insofar as it takes into account wider attitudes and frameworks that shaped the specific circumstances of Frankish-Muslim diplomacy in the East.

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[52] Reuven Amitai, *Mongols and Mamluks: The Mamluk-Ilkhanid War, 1260-1281* (Cambridge: Cambridge University Press, 1995); R. Stephen Humphreys, "Ayyubids, Mamluks, and the Latin East in the Thirteenth Century", *Mamlūk Studies Review* 2 (1998): 1-17.

[53] Peter Thorau, *Sultan Baibars I. von Ägypten : ein Beitrag zur Geschichte des Vorderen Orients im 13. Jahrhundert*, trans. P. M. Holt, *The Lion of Egypt: Sultan Baybars I and the Near East in the Thirteenth Century* (New York: Longman, 1992), pp. 101, 203, 207; Ann Zimo, "Baybars, Naval Power and Mamlūk Psychological Warfare against the Franks", *Al-Masāq* 30.3 (2018): 1-13.

[54] Andrew Ehrenkreutz, "Strategic lmplications of the Slave Trade between Genoa and Mamluk Egypt in the Second Half of the Thirteenth Century", in *The Islamic Middle East, 700-1900: Studies in Economic and Social History*, ed. A. L. Udovitch (Princeton: The Darwin Press, 1981), p. 341; Reuven Amitai, "Diplomacy and the Slave Trade in the Eastern Mediterranean: A Re-examination of the Mamluk-Byzantine-Genoese Triangle in the Late Thirteenth Century in Light of the Existing Early Correspondence", *Oriente Moderno, New Series* 87.2 (2008): 349-68; Hannah Barker, "Egyptian and Italian Merchants in the Black Sea Slave Trade, 1260-1500", Doctoral Dissertation, Columbia University, 2014, pp. 2-4.

iv. Mediterranean Studies

Mediterranean Studies may be defined by the variety of approaches applied to a variety of subject-matter pertinent to the landscapes around the Mediterranean as well as the connecting seascape itself. Many historiographical discussions trace the lineage of the field back to Henri Pirenne (1862-1935), a Belgian scholar who proposed that the Umayyad conquests disrupted the Romano-Christian unity of the Mediterranean and resulted in the emergence of an insular Germanic-Christian power further north: the Frankish empire of Charlemagne.[55] Fernand Braudel returned to the question of Mediterranean unity in his 1947 thesis and in his three-volume Mediterranean study, both of which focus on the reign of Phillip II (1556-1598). Braudel argued that Mediterranean history could be analyzed on three levels. The first comprises the deterministic forces of nature, variable across the different geographies of the Mediterranean Basin, but highly comparable in terms of their effects on human activity. An example is the way in which geography shaped navigation across, or rather around, the sea. The second level pertains to *conjonctures* or long term trends and shifts, such as migration patterns or the inflation caused by the influx of silver and gold shipped from the Americas. And the third level focuses on the impact of events and the role of individuals and groups.[56] Since Pirenne and Braudel, innumerable scholars

[55] Henri Pirenne, *Mahomet et Charlemagne* (Brussels: Nouvelle Société d'Éditions, 1937), esp. pp. 143-53, 162-3, 210-1. Peregrine Horden and Nicholas Purcell, however, begin their historiographical survey with Mikhail Rostovtzeff. See Peregrine Horden, Nicholas Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Oxford: Blackwell, 2000), pp. 26-45. For a more recent and globally-oriented overview of the field's development, see John Watkins, "The New Mediterranean Studies: A Mediator between Area Studies and Global Studies", *Mediterranean Studies* 21.2 (2013): 149-54.

[56] Fernand Braudel, *La Méditerranée et le Monde Méditerranéen à l'époque de Philippe II*, 3 Vols. (Paris: Librairie Armand Colin, 1949, reprint 1966), esp. I: 21, 94-9, 325, 380-3, 448-51; II: 223-4.

have shaped and developed Mediterranean Studies, comparing and connecting various communities and ideas and theorizing on how best to do so.[57]

S. D. Goitein, for example, was the first scholar to investigate medieval Mediterranean social history on the basis of a unifying corpus of documents. In his six-volume *A Mediterranean Society*, he recreated the extensive trade networks of Jewish merchants operating between Christian and Islamic territories across the Mediterranean Sea and the Indian Ocean.[58] In 1987, María Rosa Menocal published *The Arabic Role in Medieval Literary History* and argued that musicians and poets travelled between Christian and Islamic courts in the western Mediterranean, seeking patronage and inspiration across confessional boundaries.[59] Her work continues to inspire trans-regional studies of medieval verse and prose.[60] In 2003, Olivia Remie Constable compared traditions of hospitality around the Mediterranean and studied the various forms and functions of the *funduq* (merchant hostel, traveller's inn).[61] Brian A. Catlos' *Muslims of Medieval Latin Christendom, c. 1050-1614*, published in 2014, is a quintessentially Mediterranean examination of cultures in contact from Iberia to the Levant.[62] More recently, Hussein Fancy has studied the role of Muslim *jenet*s in the service of Aragonese kings in *The*

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[57] Countless studies have taken Braudel's *Méditerranée* as a starting point for theorizing on the Mediterranean or other seascapes. See for example *Braudel Revisited: The Mediterranean World, 1600-1800*, eds. Gabriel Piterberg, Teofilo F. Ruiz, Geoffrey Symcox (Toronto: University of Toronto Press, 2010).

[58] S. D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, 6 Vols. (Berkeley: University of California Press, 1967-1993); see also Jessica Goldberg, *Trade and Institutions in the Medieval Mediterranean: The Geniza Merchants and their Business World* (Cambridge: Cambridge University Press, 2012).

[59] María Rosa Menocal, *The Arabic Role in Medieval Literary History: A Forgotten Heritage* (Philadelphia: University of Pennsylvania Press, 1987).

[60] See Sharon Kinoshita, *Medieval Boundaries: Rethinking Difference in Old French Literature* (Philadelphia: University of Pennsylvania Press, 2006) and *A Sea of Languages: Rethinking the Arabic Role in Medieval Literary History*, eds. Suzanne Conklin Akbari, Karla Mallette (Toronto: University of Toronto Press, 2013).

[61] Olivia Remie Constable, *Housing the Stranger in the Mediterranean World: Lodging, Trade, and Travel in Late Antiquity and the Middle Ages* (Cambridge: Cambridge University Press, 2003).

[62] Brian A. Catlos*, Muslims of Medieval Latin Christendom, c. 1050-1614* (Cambridge: Cambridge University Press, 2014).

Mercenary Mediterranean, which he relates to a Mediterranean-wide tradition of employing "infidel" soldiers as royal guards. And Michael Lower brings Crusade Studies into dialogue with a Mediterranean-wide view of political relations in *The Tunis Crusade of 1270*.[63]

Any survey of Mediterranean historiography must include Peregrine Horden and Nicholas Purcell's *The Corrupting Sea*, published in 2000. This ambitious collection of essays presents an "ecologically"-oriented conceptualization of the Mediterranean, through which the authors emphasize the creative interaction between microregions: clusters of human activity that encompass towns, hinterlands, and the routes that connect them. Their emphasis on connectivity provides the authors with a framework in which to study a plethora of unifying elements of the Mediterranean, from modes of production to urbanization to the pursuit of honour.[64]

Countless additional works focusing on the Mediterranean can be cited here, but comparable and relevant approaches also exist in studies of the Norman migration, or the Norman Diaspora, as some scholars refer to it.[65] A series of detailed studies published in the late 1960s and 1970s compared the conquests and legacies of the Normans across England, Calabria and Sicily, and Antioch, providing insight into the processes of conquest and assimilation.[66] The work of Jeremy Johns and Alex Metcalfe were elaborations of the

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[63] Hussein Fancy, *The Mercenary Mediterranean: Sovereignty, Religion, and Violence in the Medieval Crown of Aragon* (Chicago: The University of Chicago Press, 2016); Michael Lower, *The Tunis Crusade of 1270: A Mediterranean History* (Oxford: Oxford University Press, 2018).
[64] Horden, Purcell, *Corrupting Sea*, esp. 123-4.
[65] Luigi Russo, « La diaspora normande vue par les marges : la principauté d'Antioche entre histoire et historiographie », *Tabularia. Sources écrites des mondes normands médiévaux* 16 (2016): 157-75.
[66] David C. Douglas, *The Norman Achievement, 1050-1100* (Berkeley: University of California Press, 1969); idem, *The Norman Fate, 1100-1154* (London: Eyre Methuen, 1976); R. H. C. Davis, *The Normans and their Myth* (London: Thames & Hudson, 1976); See also Marjorie Chibnall, *The Normans* (Oxford: Blackwell Publishers, 2000); Melissa Sartore, "Eleventh- and Twelfth-Century Similarities in the Norman Influence, Contact and "Conquests" of Sicily, Southern Italy and England", *Al-Masāq* 25.2 (2013): 184-203.

Mediterranean aspect of the Norman sphere of activity.[67] Robert Bartlett sought out even larger patterns in the conquests of Latin Christians in *The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350*, published in 1993. Bartlett argued that Christian conquerors and colonizers underwent a shared process of identity formation in the medieval period that was closely tied to their encounters with "outsiders" around the Baltic and Mediterranean.[68]

Although the last few works cited in this section are not Mediterranean studies *per se*, they nevertheless adopt similar approaches in terms of perspective and geographical range. The broad comparative and connective frameworks adopted by the scholars cited above suggest that notions of authority, practices of government, and modes of communication could also operate and interact on a grand scale, exceeding the territorial bounds of the Levant or Syria. Accordingly, much of the research presented in this thesis focuses on uncovering and analyzing the evidence for Muslim rulers engaging with their non-Muslim neighbours around and across the Mediterranean. However, comparative analysis of the experiences of the ruled can also reveal similar pressures faced by minorities across varied contexts.

v. Minorities

One can detect an emphasis on the perspectives and agency of minorities in recent scholarship on the medieval and early modern periods, which has also impacted

[67] Jeremy Johns, *Arabic Administration in Norman Sicily: The Royal Dīwān* (Cambridge: Cambridge University Press, 2002); Alex Metcalfe, *Muslims and Christians in Norman Sicily: Arabic-Speakers and the End of Islam* (New York: Routledge, 2010).
[68] Bartlett, *Making of Europe*, esp. 101-5; Berend, "Expansion", 178-208.

Arabophone "Non-Muslim Studies".[69] The conclusions found in this literature point to strikingly similar patterns across different Mediterranean contexts. The pressures faced by a community of Ḥanbalī Muslims living under Frankish rule in the foothills north of Jerusalem redefined their means of upholding and reinforcing their faith.[70] But it could also render them a potential menace as a fifth column if an external power entered the picture.[71] In *A Jewish Renaissance in Fifteenth-Century Spain*, Mark D. Meyerson explores how leaders of the Jewish community in Morvedre struggled to adhere to Halakha (Jewish Law) when under pressure to convert. Their revival was such that the decline of Jewish communities in Catholic Spain can be deemed neither linear nor inevitable.[72] Kathryn Miller's *Guardians of Islam* also stands out as an exceptional foray into the perspectives of a Muslim minority in the Ebro Valley and the efforts of its members to uphold their confessional identity whilst under Christian rule.[73] Christians living in Egypt likewise faced the pressures of intensifying Sunnī devotion under the Baḥrī Mamlūks, who attempted to reinforce their legitimacy as orthodox Muslim rulers in part by reintroducing sanctions on the economic activities of the Copts and Jews, curbing their participation in administration and public services, and by even forcing them to convert to Islam.[74]

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[69] See the introductory survey in Luke Yarbrough, "Book Review: Jāsim Muḥammad Kaẓim, *Ahl al-dhimmah fī al-mujtamaʿ al-Baghdādī fī al-ʿahdayn al-Buwayhī wa-al-Saljūqī* (Baghdad: Dār al-Madīnah al-Fāḍilah, 2013), 327 pages. (Paperback).", *Al-ʿUṣūr al-Wusṭā* 23 (2015): 154-9.
[70] Drory, "Nablus Region", 97-8.
[71] Mallett, *Muslim Reactions*, 78.
[72] Mark D. Meyerson, *A Jewish Renaissance in Fifteenth-Century Spain* (Princeton: Princeton University Press, 2004), esp. pp. 3, 8, 10, ch. 2.
[73] Kathryn A. Miller, *Guardians of Islam: Religious Authority and Muslim Communities of Late Medieval Spain* (New York: Columbia University Press, 2008).
[74] Northrup, "Muslim-Christian Relations", 253-61; idem, "Baḥrī Mamlūk Sultanate", 271-2; Donald P. Little, "Coptic Conversion to Islam under the Baḥrī Mamlūks, 692-755/1293-1354", *Bulletin of the School of Oriental and African Studies* 39 (1976): 552-69; idem, "Coptic Converts to Islam During the Baḥrī Mamluk Period", in *Conversion and Continuity: Indigenous Christian Communities in Islamic Lands, Eighth to Eighteenth Centuries*, eds. Michael Gervers, Ramzi Bikhazi (Toronto: Pontifical Institute of Mediaeval Studies, 1990), pp. 263-88; Shaun O'Sullivan, "Coptic Conversion and the Islamization of Egypt", *Mamlūk Studies Review* 10.2 (2006): 78-

Confessional minorities as diverse as the Ḥanbalīs of the Kingdom of Jerusalem, the Mudéjars living under the "Catholic Monarchs", and the Copts of Mamlūk Egypt all shared the threat of being accused of subverting the social and political order. Their public displays of worship could be construed as challenges to the faith of the "majority" and their rulers. And their potential link to co-religionists outside their domains could implicate them as fifth columns, which meant that their circumstances could be adversely affected by political developments beyond their control.[75] What separates the East is that this pattern is either less studied, or less apparent in the sources. In *The Crusades: Islamic Perspectives*, Carole Hillenbrand revisits this problem, framed as a question of whether the crusades triggered endemic Muslim discriminatory measures against Eastern Christians. Hillenbrand provides a brief summary of scholarly views and sources and suggests that the persecution of Eastern Christians did increase in Islamic territories as a result of their

9. I thank Liran Yadgar (Judaic Studies Department, Yale University), Jeroen Vanwymeersch (Department of Languages and Cultures, Ghent University), and Nathan Hofer (Department of Religious Studies, Missouri University) for providing extensive references on Copts under Mamlūk rule. See also Linda S. Northrup, "Al-Bimāristān al-Manṣūrī – Explorations: The Interface between Medicine, Politics and Culture in Early Mamluk Egypt", in *History and Society during the Mamluk Period (1250-1517): Studies of the Annemarie Schimmel Research College I*, ed. Stephan Conermann [Mamluk Studies 5] (Bonn: V & R Unipress, 2014), pp. 112-3, 121-2; Robert Irwin, *The Middle East in the Middle Ages: The Early Mamluk Sultanate, 1250-1382* (Carbondale: Southern Illinois University Press, 1986), pp. 50, 97-9; cf. Arjomand, "Legitimacy", 251-2 who focuses on *jihād*. However, the importance of caliphal investiture for Mamlūk authority should not be overlooked: Syedah Fatima Sadeque, *Baybars I of Egypt* (Dacca: Oxford University Press, 1956), pp. 43-4.

[75] Andrew C. Hess, "The Moriscos: An Ottoman Fifth Column in Sixteenth-Century Spain", *The American Historical Review* 74.1 (1968): 1-25; idem, *The Forgotten Frontier: A History of the Sixteenth-Century Ibero-African Frontier* (Chicago: University of Chicago Press, 1978), p. 62; Mark D. Meyerson, *The Muslims of Valencia in the Age of Fernando and Isabel: Between Coexistence and Crusade* (Berkeley: University of California Press, 1991), pp. 63-4; David Coleman, *Creating Christian Granada: Society and Religious Culture in an Old-World Frontier City, 1492-1600* (Ithaca: Cornell University Press, 2003), pp. 3, 177; Meyerson, *Jewish Renaissance*, 38-40, 53-4, 155; idem, "A Muslim Fifth Column in Christian Spain? Mudejar and Morisco Violence in the Kingdom of Valencia", Paper presented at the 128th Annual Meeting of the American Historical Association, Washington, District of Columbia, 2-5 January 2004; Miller, *Guardians of Islam*, 148; Catlos, *Latin Christendom*, 172, 204. See also Speros Vryonis, Jr., "The Experience of Christians under Seljuk and Ottoman Domination, Eleventh to Sixteenth Century", in *Conversion and Continuity*, 203.

alleged links to the crusaders and Mongols and as a form of protest against Frankish-Muslim rapprochement.[76]

In Chapter 5, I show that there is overwhelming evidence in support of the notion that the crusades triggered widespread reprisals against Christians, but that these reprisals were often linked to specific situations and shared conceptualizations of authority. One of the aims of this thesis is creating a framework in which to study the implications of Christian-Muslim diplomatic relations for the conditions of minorities along the lines of the studies surveyed above, which takes account of specific contexts and only then links these contexts to long-term developments. Although this thesis centres on the perspective of rulers and elites, it is also concerned with the daily realities of life among subjects and the "experience of violence" shared by minorities.[77] The experiences of minorities were not ignored by aloof or detached rulers; rather, the experiences of minorities were highly valued in negotiations and closely tied to the self-image of rulers.

vi. The Expressive–Instrumental Continuum of Behaviour

One of the key insights in Yvonne Friedman's work on peace-making is the notion that the Franks and Muslims could communicate through shared gestures and signs on account of overlapping systems of values. This common language filled gaps in verbal communication or even supplemented it. For example, the exchange of prestige goods could serve as a form of communication, expressing desires and establishing power

[76] Hillenbrand, *Islamic Perspectives*, 410-20; see also Mallett, *Muslim Reaction*s, 91-4; Ephrem-Isa Yousif, *Saladin et l'épopée des Ayyoubides : Chroniques syriaques* (Paris: L'Harmattan, 2010), p. 104.
[77] Thomas N. Bisson, *The Crisis of the Twelfth Century: Power, Lordship, and the Origins of European Government* (Princeton: Princeton University Press, 2009), p. 17.

relations between two individuals or parties.[78] The discipline of anthropology is useful in this regard as there is a long tradition of studying gestures among its proponents, who have explored the implications of symbolic gestures and gift-exchange in countless contemporary cultures. Anthropologists often use the terms "expressive" and "instrumental" to differentiate between symbolic and non-symbolic action. Alan Hamlin and Colin Jennings label as expressive that which "reflects, wholly or partly, underlying concerns that derive directly from the meaning or symbolic significance of actions or choices themselves" and which requires an audience. In contrast, instrumental behaviour is understood to refer to actions or choices that have tangible "consequences or consumption benefits".[79]

In 1991, Anton Blok brought such mutually non-exclusive differentiation between instrumental and expressive action to bear in a study of violence, demonstrating that even apparently "senseless" incidents of violence can carry meaning.[80] Blok claims that any use of physical force "depends on its symbolic form. Like all performances, it turns on how it is carried out: it depends on the message, on what people want to say, to communicate."[81] Furthermore, Blok argues, violence often occurs between the most similar of groups, which seems counter-intuitive.[82] However, the competition for honour and power in which Christian and Muslim rulers engaged certainly hinged on some shared values, including an

[78] This observation was first elaborated by Marcel Mauss in 1923: Marcel Mauss, « Essai sur le don : forme et raison de l'échange dans les sociétés archaïquès », *L'Année sociologique, Seconde série* 1 (1923): 30-186. The literature that has elaborated his work is vast.
[79] Alan Hamlin, Colin Jennings, "Expressive Political Behaviour: Foundations, Scope and Implications", *British Journal of Political Science* 41 (2011): 655.
[80] Anton Blok, "Zinloos en zinvol geweld", *Amsterdams Sociologisch Tijdschrift* 18.3 (1991): 189-207; translated and revised in Anton Blok, *Honour and Violence* (Cambridge: Polity Press, 2001), ch. 6.
[81] Blok, *Honour and Violence*, 108.
[82] Blok, *Honour and Violence*, 5.

appreciation for courtly culture, displays of martial prowess, and most importantly, a mutually comprehensible regard for honour.[83]

In this thesis, I argue that even the privileges of minorities could be exchanged between rulers who competed to improve their footing during negotiations. It might even be accurate to propose that rulers exchanged minorities, figuratively speaking, when they negotiated for the prerogative of protection over communities of co-religionists outside their domains. In like manner, rulers also inflicted harm on minorities following disruptions in diplomatic relations. In doing so, they could threaten a rival's honour and legitimacy as the protector and patron of the minority in question. Such gestures were simultaneously instrumental, insofar as they affected the actual circumstances of confessional minorities, and expressive, in that they conveyed a message to the rival ruler *qua* the audience of a particular gesture. Authority, in this sense, was also closely linked to honour. Assaults on extraterritorial minorities directly affected the status and legitimacy of their self-proclaimed protectors and patrons abroad and therefore became a concern for medieval popes, caliphs, kings, and emperors.

vii. Mamlūk Studies

Mamlūk Studies is an offshoot of the broader field of the History of Islam or the historical subdivision of Islamic Studies, which in turn is one successor of an older tradition of western Orientalism. I have already outlined some major advances in Mamlūk Studies

[83] Jonathan Phillips' forthcoming work addresses some aspects of symbolic exchanges in the context of the Third Crusade. Jonathan Phillips, "Saladin and Gift-Giving", in *The History of Syria, 1099-1250: Conflict and Co-existence*, ed. Carole Hillenbrand (Edinburgh: Edinburgh University Press, in preparation), see Bibliography, v.

that concern Christian-Muslim relations in section i., iii., and v. above. In the following, I highlight select research by Ulrich Haarmann, who has been called "the grand old man of Mamluk studies"; David Ayalon (who supervised Reuven Amitai); and Donald Presgrave Little (who supervised Linda Northrup). David Ayalon brought the complex workings of the Islamic "slave" system, out of which the Mamlūks originated, to scholarly attention.[84] Ulrich Haarmann and Donald Little tackled the complex and vast array of Arabic sources from the Mamlūk Period (658-923/1260-1517). Little had focused on accounts of the life of the sultan "al-Malik al-Nāṣir" Muḥammad ibn Qalāwūn (d. 741/1341) before beginning to work on the Haram Documents of the Islamic Museum in Jerusalem, photographed by Amal A. Abu al-Hajj and Linda Northrup.[85]

The field expanded considerably after these pioneering publications. Scholars have examined urban landscapes, economic history, the *ʿulamāʾ* and Ṣūfīs, popular religion and pilgrimage, and social networks in the Mamlūk Period. Most recently, scholars have become interested in narrativity in Mamlūk prose and poetry, reflecting similar a trend in Crusade Studies (see above, section i.).[86] There are two major research centres focused on

[84] David Ayalon, *L'esclavage du mamelouk* (Jerusalem: Israel Oriental Society, 1951); idem, "Studies on the Structure of the Mamluk Army—I", *Bulletin of the School of Oriental and African Studies* 15.2 (1953): 203-28; idem, "Studies on the Structure of the Mamluk Army—II", *Bulletin of the School of Oriental and African Studies* 15.3 (1953): 448–76; idem, "Studies on the Structure of the Mamluk Army—III", *Bulletin of the School of Oriental and African Studies* 16.1 (1954): 57-90; David Ayalon, "Aspects of the Mamluk Phenomenon: The Importance of the Mamluk Institution", *Der Islam* 54.2 (1976): 196-225.

[85] Both dissertations were published: Ulrich Haarmann, *Quellenstudien zur frühen Mamlukenzeit* [Islamkundliche Untersuchungen 1] (Freiburg im Breisgau: D. Robischon, 1969; Freiburg im Breisgau: K. Schwarz, 1970); Donald Presgrave Little, *An Introduction to Mamlūk Historiography: An Analysis of Arabic Annalistic and Biographical Sources for the Reign of al-Malik an-Nāṣir Muḥammad ibn Qalāʾūn* (Montréal: McGill-Queen's University Press, 1970). See Stephan Conermann, "Ulrich Haarmann, 1942-1999", *Mamlūk Studies Review* 4 (2000): 1-25.

[86] See Thomas Bauer, "Mamlūk Literature as a Means of Communication", in *Ubi Sumus? Quo Vademus?: Mamluk Studies - State of the Art* (Bonn: Bonn University Press, 2014), pp. 23-56. The theme of the Mamlūk conference held at the Annemarie Schimmel Kolleg in 2014 was "Narratological Perspectives". The proceedings have been published as *Mamlūk Historiography Revisited – Narratological Perspectives*, ed. Stephan Conermann [Mamluk Studies 15] (Bonn: V&R unipress, Bonn University Press, 2018). And the theme

the Mamlūk sultanate: the DFG-funded Annemarie Schimmel Kolleg (ASK) in Bonn, affiliated with the University of Bonn, and the School of Mamlūk Studies in the Middle East Documentation Center at the University of Chicago, which organizes an annual conference and publishes an annual journal, the *Mamlūk Studies Review*. Professor Jo Van Steenbergen also heads a project focused on Mamlūk prosopography called "Mamlukisation of the Mamluk Sultanate" at the Department of Arabic and Islamic Studies, Ghent University.

Mamlūk rulers, as former "slaves" of non-Arab ethnicity, faced special challenges in securing legitimacy as rulers over predominantly Sunnī territories. They could bolster their authority by promoting the *jihād* against the Franks or Mongols but they could also turn their attention towards reforming society within their domains.[87] The specificities of Mamlūk rulership and the demands of wider society therefore factored into their relations with non-Muslim rulers, confessional minorities (Copts and Karaites in Egypt, for example), and extraterritorial confessional minorities (Muslims in Christian territories). This thesis is particularly concerned with how the Mamlūks and their immediate predecessors, the Ayyūbids, propped their authority by carefully navigating their relations with non-Muslim rulers and minorities, whilst struggling to maintain power and economic stability.

viii. Ayyūbid Studies

Unlike Mamlūk Studies, Ayyūbid Studies is not a distinct field with its own research clusters and an associated journal. The Ayyūbids (569-648/1174-1250) were a shorter-

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of the Fifth Conference of the School of Mamluk Studies held at Ghent University from 5-7 July 2018 was "Historiography/Adab". See http://www.sms2018.ugent.be/.

[87] See section v. above.

lived dynasty and fewer texts survive from the period, though the size of the extant corpus is still enormous. The Ayyūbids arguably require a degree of specialization akin to what Mamlūkists display in their work. However, I am only aware of Konrad Hirschler's attempt to theorize on the period and propose future directions of research.[88] Nevertheless, Isabel Callejas Martín has collected a bibliography of research on the Ayyūbids along with references to translations and editions of contemporaneous texts.[89] Instead of summarizing her impressive survey, I will point to a few developments in the scholarship that are pertinent to this thesis and provide a glimpse into the range of Ayyūbid sub-specializations.

Studies on the eponymous founder of the dynasty, Ṣalāḥ al-Dīn ibn Ayyūb (570-589/1174-1193), have proliferated in recent years, creating a rich historiography for the beginnings of the Ayyūbids.[90] Numerous studies cover the entire Ayyūbid period, including R. Stephen Humphrey's comprehensive *From Saladin to the Mongols* and Laila Atrache's *Die Politik der Ayyubiden*.[91] A volume has been published on Jerusalem in the Ayyūbid Period and there are numerous studies on Ayyūbid institutions and Ṣūfīs in the Ayyūbid period.[92]

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[88] Konrad Hirschler, "Ayyubid and Frankish Diplomatic Relations", Paper presented at the 21st International Medieval Congress, Institute for Medieval Studies, University of Leeds, Leeds, 7-10 July 2014. Carole Hillenbrand also proposed holding conferences on the Ayyūbids during the concluding discussion at the conference History of Syria, 1099-1250: Conflict and Co-existence (University of St Andrews, 1-2 April 2016).

[89] Isabel Callejas Martín, "Los ayubíes (564 h./1168-658 h./1260): un recorrido historiográfico", *En la España Medieval* 38 (2015): 399-467.

[90] In addition to the biographies by Ehrenkreutz and by Lyons and Jackson, see Nuʿmān al-Ṭayyib Sulaymān, *Manhaj Ṣalāḥ al-Dīn al-Ayyūbī fī al-ḥukm wa-al-qiyāda* (Cairo: s. n., 1991); al-Ḥiyārī, *Ṣalāḥ al-Dīn* (cited in n. 35 above); Muhammad Mu'nis Awad, *Qālū ʿan Ṣalāḥ al-Dīn al-Ayyūbī, 1138-1193 M: shahādāt min al-Sharq wa-al-Gharb* (Cairo: Dārat al-Karaz, 2013); Anne-Marie Eddé, *Saladin* (Paris: Flammarion, 2008); idem, *Saladin*, trans. Jane Marie Todd (Cambridge, Mass.: Belknap Press of Harvard University Press, 2011).

[91] Laila Atrache, „Die Politik der Ayyūbiden : die fränkisch-islamischen Beziehungen in der ersten Hälfte des 7./13. Jahrhunderts unter besonderer Berücksichtigung des Feindbildes", Doctoral Dissertation, University of Münster, 1996.

[92] *Ayyubid Jerusalem: The Holy City in Context 1187-1250*, eds. Robert Hillenbrand, Sylvia Auld (London: Altajir Trust, 2009); Nathan Hofer, *The Popularisation of Sufism in Ayyubid and Mamluk Egypt, 1173-1325* (Edinburgh: Edinburgh University Press, 2015); Anne-Marie Eddé, "Saladin's Pious Foundations in Damascus: Some New Hypotheses", in *Living Islamic History: Studies in Honour of Professor Carole Hillenbrand*, ed. Yasir Suleiman (Edinburgh: Edinburgh University Press, 2010), pp. 62-76; see also Anne-Marie Eddé, *La principauté ayyoubide d'Alep (579/1183-658/1260)* (Stuttgart: Franz Steiner Verlag, 1999).

The material on Christian-Muslim relations in the Ayyūbid Period is rich, dense, and, by my approximation, largely unexplored. This thesis draws mainly on sources from the Ayyūbid Period and attempts to expand knowledge of ruler-minority relations especially in the Levant and Greater Syria across the sixth/twelfth and seventh/thirteenth centuries. It also links the historiography of the Ayyūbid period to the broader history of Christian-Muslim relations from the earliest Byzantine-Umayyad negotiations to the Mamlūk period.

Conclusions

These eight "mini-historiographies" present some of the major interventions that have shaped the fields underpinning the topic covered in this thesis. Many of the studies surveyed above have inspired some of its overarching questions and informed my trajectory in exploring the intricacies suggested by the evidence. In the following chapter, I build an analytical framework for the thesis by examining the theoretical and legal frameworks in which rulers operated, which is important for understanding the relationship between theory and practice in ruler-minority relations. Chapter 3 deals with the early history of Christian-Muslim relations in the long durée to show how precedents in policies towards minorities were first established and continued to inform diplomatic practices. Chapters 4-8 focus on the sixth/twelfth and seventh/thirteenth centuries and provide the bulk of the evidence for my argument on the revitalization of a shared minority discourse in the Anjouin/Ayyūbid Period.[93]

[93] I use the term 'Anjouin' to differentiate the dynasty established in the East by Fulk V, Count of Anjou (1109-1129) and King of Jerusalem (1131-1143), from the Angevins in England, France, and the Mediterranean to

Chapter 2: *Dhimma* and *Subiectio*:
Legal Frameworks and the Shared Minority Discourse in the Medieval Mediterranean

"Yes you have done me disservice, for two reasons: one, because you have done harm to the Saracens; the other, because you have violated our order, since the Saracens were living in our trust, and you have broken the promise we had made to them."

–King James I of Aragon (tr. Smith and Buffery)

. . .

But the Lord, the God of vengeance, He who brings just retribution on sinners, did not suffer us to enjoy the rewards of our sin long; indeed He soon made it plain that, even with infidels, faith must be kept.

-William of Tyre (tr. Babcock and Krey)

i. Introduction

The paucity of records pertaining to subjected minorities under Frankish rule in the Latin East explains a gap in our knowledge of intercultural relations, which contrasts with the extensive source base for Norman Sicily, the Crown of Aragon, or Ayyūbid and Mamlūk Egypt and Greater Syria. Benjamin Kedar's article on subjected minorities and Alex Mallett's *Popular Muslim Reactions* remain the two most comprehensive studies of actual encounters between the Frankish elite and the local inhabitants of the Coastal Plain.[94] And extensive work on the attitudes of Christians, and crusaders in particular, towards Islam in the period brings to light some of the cultural assumptions carried by Europeans to the East.[95] There are also detailed and insightful studies on Frankish administration and law as

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distinguish between the acculturated Franks ruling in the Levant and the Angevin Richard I, travelling to the Levant on crusade.

[94] Kedar, "Subjected Muslims"; Mallett, *Muslim Reactions* (see Chapter 1, section i.).

[95] John V. Tolan, *Saracens: Islam in the Medieval European Imagination* (New York: Columbia University Press, 2002); Marcus Bull, "Views of Muslims and of Jerusalem in Miracle Stories, c.1000 - c.1200: Reflections on the

reconstructed from extant legal codes.[96] But we still lack understanding of the underlying legal frameworks or customs that would have shaped how the Frankish elite in the East were to operate in complex scenarios involving subjects adhering to diverse belief systems.

The sources are mostly silent on this question. The surviving cartularies of the royal chancery in Jerusalem and the Hospitaller Order rarely mention Muslims explicitly and the *Livre des assises* composed by John of Ibelin (d. 1266), focuses mainly on Franks and Eastern Christians. Had more evidence survived in the form of charters and court records, these would provide an indication as to the legal place of Muslims and the degree of their inclusion in Frankish administrative institutions. Marwan Nader has argued that Muslim lessees had access to the burgess court of Acre along with non-noble Franks, based on evidence from the early seventh/thirteenth century *Livre de la cour des bourgeois* and other texts.[97] A Muslim lessee in Acre could, for example, provide testimony in the burgess court

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Study of First Crusaders' Motivations", in *The Experience of Crusading, 1: Western Approaches*, eds. Marcus Bull, Norman Housley (Cambridge: Cambridge University Press, 2003), pp. 13-38; John V. Tolan, *Sons of Ishmael: Muslims through European Eyes in the Middle Ages* (Gainesville: University Press of Florida, 2008); Suzanne C. Akbari, *Idols in the East: European Representations of Islam and the Orient, 1100-1450* (Ithaca: Cornell University Press, 2009); Sophia Menache, "When Jesus Met Muhammed in the Holy Land: Attitudes Toward the 'Other' in the Crusader Kingdom", *Medieval Encounters* 15 (2009): 66-85; Carol Sweetenham, "Crusaders in a Hall of Mirrors: The Portrayal of Saracens in Robert the Monk's *Historia Iherosolimitana*", in *Languages of Love and Hate: Conflict, Communication, and Identity in the Medieval Mediterranean*, eds. Sarah Lambert, Helen Nicholson (Turnhout: Brepols, 2012), pp. 49-63; Marianne J. Ailes, "The Admirable Enemy? Saladin and Saphadin in Ambroise's *Estoire de la guerre sainte*", in *Knighthoods of Christ: Essays on the History of the Crusades and the Knights Templar, Presented to Malcolm Barber*, ed. Norman Housley (Aldershot: Ashgate, 2007), pp. 51-64.

[96] For example: Claude Cahen, « Notes sur l'histoire des croisades et de l'Orient latin : le régime rural syrien au temps de la domination franques », *Bulletin de la Faculté des Lettres de l'Université de Strasbourg* 29 (1951): 286-310, reprinted in *Turcobyzantina et Oriens Christianus* (London: Variorum Reprints, 1974); Joshua Prawer, "Colonization Activities in the Latin Kingdom", *Revue belge de philologie et d'histoire* 29 (1951): 1063-118, reprinted in *The Medieval Frontiers of Latin Christendom*, eds. James Muldoon, Felipe Fernández-Armesto (Farnham: Ashgate, 2008); Jonathan S. C. Riley-Smith, "The Survival in Latin Palestine of Muslim Administration", in *The Eastern Mediterranean Lands in the Period of the Crusades*, ed. P. M. Holt (Warminster: Aris & Phillips Ltd., 1977), pp. 9-22.

[97] Nader, "Legal Institutions", 243-70.

for disputes involving other Muslims. A Muslim lessee could even sue a Frank for arrears.[98] Non-Christians, Nader argues, also had recourse to the Cour de la Fonde from the seventh/thirteenth century, which adopted some of the laws of the burgess court.[99]

But these regulations and guidelines pertained to a specific class of Muslims in a specific setting near the end of the Frankish presence in the East. These regulations also concern economic transactions. We still know very little about how Frankish rulers would have adjudicated cases involving disputes between Jews and Muslims or non-Christians and Christians, prior to the compilation of the *Livre de la cour des bourgeois*. In addition, we have no evidence for petitions brought to the Frankish courts by non-Christians. And, although we know that there were legally autonomous Jewish and Muslim communities under Frankish rule, we know nothing about the charters granted to these communities after initial conquests or the legal status that shaped their circumstances afterwards. Finally, Jews and Muslims appear to have been absent from the Frankish royal courts, whereas it was the norm for Christian rulers in Iberia and Sicily to invite Jewish and Muslim physicians, poets, and scholars to their courts. It is evidence for the underlying principles of interaction that we are missing. In contrast, there is an extensive body of evidence for confessional minorities in Islamic courts and wider society, revealing an elaborate theory and practice of structuring minority relations, and allowing us to understand the Islamic side of governance in greater depth.

In this chapter, I explore Christian and Islamic theoretical and legal frameworks for structuring ruler-minority relations through a comparative and connective analytical

[98] Nader, "Legal Institutions", 255-6, 261-2; Adam Bishop, "Criminal Law and the Development of the Assizes of the Crusader Kingdom of Jerusalem in the Twelfth Century", PhD Dissertation, University of Toronto, 2011, p. 67, cited in Catlos, *Latin Christendom*, 361.
[99] Nader, "Legal Institutions", 250.

approach.[100] A cross-cultural understanding of these frameworks informs how we perceive and understand the policies of Frankish and Muslim rulers towards each other and towards minorities, which augmented, met, or defied the expectations and regulations established by these frameworks. I begin with a condensed history of early Islamic applications of *dhimma* regulations, which brought Scripture and Prophetic precedent into contact with realities on the ground in the post-Byzantine Near East. Specifically, I will discuss the capitulation truce known as the *Pact of ʿUmar* and examine how it contributed to the development of the Islamic legal framework for minorities. I then discuss Christian frameworks, touching briefly on the question of whether Christian conquerors and rulers elsewhere adapted aspects of pre-existing Islamic *dhimma* systems. I end with a discussion of the Fourth Lateran Council, a quintessentially Roman–Christian response to emerging threats that exhibits some striking similarities to the earliest Islamic minority contracts.

Much of the chapter is necessarily devoted to filling a gap in our knowledge of a Frankish theoretical basis for conduct towards non-Christians since the evidence for this framework is scarce and its history remains largely unwritten. Christian policies towards non-co-religionists appear to have imitated Islamic ones in many regions of the Mediterranean. However, the legal status of Jews in Roman law also provided Western Christians with a basis for ruler-minority relations. Exploring the aggregate of expectations, theoretical grounding, and pre-existing frameworks that may have informed Christian rulers in their policies towards non-Christians in other Mediterranean contexts can help illuminate the decisions and behaviours of the Franks in the East, alongside those of their Muslim neighbours.

[100] On connective histories, see Sanjay Subrahmanyan, "Connected Histories: Notes towards a Reconfiguration of Early Modern Eurasia", *Modern Asian Studies* 31.3 (1997): 735-62.

ii. Terms and Analytical Categories

The term 'minority' is a modern construct that does not align neatly with medieval Islamic conceptualizations of the status of subjected non-Muslims and even less with medieval Christian ones.[101] In Islam, *dhimmī* is the closest equivalent for what we would describe as a member of a politically disenfranchised group permitted to reside in Islamic territory.[102] Its cognate, *dhimma*, is often translated as "contract", but it can more accurately be translated as "responsibility" (i.e. a person's charge) or "protection".[103] According to Islamic jurists, the ʿAqd al-Dhimma was the contract of protection by which Muslim conquerors extended protection to subjected persons or communities in exchange for their fulfilment of certain requirements, which invariably included payment of the *jizya* (poll tax).[104] A *dhimmī* therefore referred to someone living under the protection afforded by the ʿAqd al-Dhimma. The *dhimmī*s only consisted of persons or communities belonging to the Ahl al-Kitāb ("People of the Book"), though the legal schools differed on the

[101] For the first use of the concept of minority in international law, see Robert Vandycke, « Le statut de minorité en sociologie du droit. Avec quelques considérations sur le cas québécois », *Sociologie et sociétés* 26 (1994), cited in John V. Tolan, "Introduction", in *Religious Minorities in Christian, Jewish and Muslim Law (5th-15th centuries)*, eds. Nora Berend, Youna Hameau-Masset, Capucine Nemo-Pekelman, John Tolan (Turnhout: Brepols, 2017), p. 21.

[102] Anver Emon defines the term *dhimmī* as "non-Muslim permanent resident". Anver E. Emon, "The Legal Regulation of Minorities in Pre-Modern Islamic Law", in *Religious Minorities in Christian, Jewish and Muslim Law (5th-15th centuries)*, eds. Nora Berend, Youna Hameau-Masset, Capucine Nemo-Pekelman, John Tolan (Turnhout: Brepols, 2017), p. 57.

[103] Tolan, "Introduction", 21.

[104] Ahmed Oulddali, « Les conditions de la résidence du dimmī : entre règles absolues et relatives », in *Religious Minorities in Christian, Jewish and Muslim Law (5th-15th centuries)*, eds. Nora Berend, Youna Hameau-Masset, Capucine Nemo-Pekelman, John Tolan (Turnhout: Brepols, 2017), p. 139-40; Antoine Fattal, *Le statut légal des non-musulmans en pays d'Islam* (Beirut: Imprimerie Catholique, 1958), pp. 73-5; On the poll tax, see Claude Cahen, "Dhimma", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, volumes I-XII (Leiden: E. J. Brill, 1960-2005), II: 227-31; Mark Cohen, *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 1994), pp. 68ff; Jacob Lassner, *Jews, Christians, and the Abode of Islam: Modern Scholarship, Medieval Realities* (Chicago: University of Chicago Press, 2012), p. 182; Meyerson, *Muslims of Valencia*, 2; and Johns, *Arabic Administration*, 26-7 with reference to Sicily.

definition of this category.[105] Members of these communities were identified as "believers" akin to Muslims (except in some polemical contexts) only insofar as they were deemed monotheistic and were said to have divinely revealed scriptures, albeit in corrupted form. Christians and Jews were referred to as Ahl al-Dhimma ("People of the Contract") when they came under Islamic rule.[106] Muslims, however, would not have used the term *dhimmī* to describe their co-religionists living under Christian rule or Jews living under Christian rule; the concept of Dhimma was not universally applicable outside an Islamic framework.

Medieval Christendom invented even less analogous conceptualizations of what it meant to be a non-Christian living under Christian rule or to be a Christian ruler ruling over non-Christian subjects. Various statements uttered by medieval Christian theologians elaborated on Augustine of Hippo's reflections on the status of Jews in Christian society. These medieval commentaries reserved a space for Jews in Christian society as "witnesses" to the triumph of Christianity and expounded the concept of Jewish service to Christianity.[107] But the later and sudden appearance of Muslims in the Mediterranean and the even later occurrence of Muslims becoming subjects of Christian rulers seem to have pre-empted an elaborate Christian theoretical basis for interaction with Muslims. Of course, Muslims are also absent from the Old and New Testaments, with which medieval Christians engaged in their explorations of the validity of earlier Jewish tradition.[108] In a word, there was no scriptural guidance for the place of Muslims in Christian society.

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[105] Oulddali, « Conditions de la résidence », 130.
[106] On the evolution of the term and concept of Ahl al-Dhimma, see Mahmoud Ayoub, "Dhimmah in Qur'an and Hadith [with Commentary]", *Arab Studies Quarterly* 5.2 (1983): esp. 178.
[107] Cohen, *Crescent and Cross*, 20-1; Anna S. Abulafia, *Christian-Jewish Relations 1000-1300: Jews in the Service of Christendom* (New York: Taylor & Francis, 2011), pp. 5-8, 21, 24, 29.
[108] E.g. Abulafia, *Christian-Jewish Relations*, 7, 30, 152, 154, 194, 196; idem, "Twelfth-Century Humanism and the Jews", in *Contra Iudaeos Ancient and Medieval Polemics between Christians and Jews*, eds. Ora Limor, Guy G. Stroumsa (Tübingen: J. C. B. Mohr, 1996), pp. 171-3.

As researchers, we require reference to categories that can span across time periods and contexts. The application of such categories allows for detection of long-term trends and comparisons and helps uncover links between societies. In this regard, the term 'minority' allows us to draw comparisons between the conditions of non-Christians under Christian rule and those of non-Muslims under Muslim rule as well as those of Jews under either. Referring to these communities as minorities or confessional minorities makes it clear that the communities in question were living under rulers who identified with a different faith. In other words, religious minorities are defined as communities who lived under the rule of non-co-religionists. I prefer the term 'confessional minorities', following Fred Donner's usage, to refer to adherents who "confessed", openly or publicly, to adhering to a faith. A Christian might have confessed to believing in the Trinity or in the Nicene Creed, for example. A Muslim confessed or proclaimed adherence to Islam by uttering the Shahāda: *Lā ilāha illā Allāh Muḥammad rasūl Allāh* or through their "hermeneutical engagement with Revelation to Muḥammad", which could take many forms that the modern historian may not recognize as "religious" in the modern western-centric usage of the term, but which medieval Muslims would have recognized and which medieval Christians would certainly have identified as *mos saracenorum*.[109] In this thesis, I also use the terms 'extraterritorial minority' or 'extraterritorial confessional minority' to refer to a minority living outside the domains of a ruler of the same confessional identity.

'Minority' may at first seem problematic since the earliest Muslim conquerors were themselves a numerical minority over areas populated by large communities of Christians,

[109] Shahab Ahmed, *What is Islam? The Importance of Being Islamic* (Princeton: Princeton University Press, 2016), p. 405.

Jews, Zoroastrians, and others.[110] The crusaders and their successors too were minorities in many regions of the Coastal Plain—even if the rate of conversion to Islam has been overstated—which is why Joshua Prawer prefers to use the term 'social class'.[111] Ronnie Ellenblum takes a different approach, arguing that the Franks and the local Christians should be considered a single group by virtue of their shared confessional identity and the high rate of intermarriage. This line of argument suggests that their numerical size vis-à-vis the local Muslim population might not have been so disparate.[112] However, neither the Franks nor the local Christian population comprised unified blocs in reality. In addition, the Franks were numerically a majority in some towns and a minority in others, notwithstanding possible ties to local Christians, which should not be assumed on the basis of Christian faith. Rather, I use the term 'minority' to refer to a confessionally differentiated and politically disadvantaged group living under a ruler of a different confessional identity—in this case, mostly Eastern Christians, Jews, and Muslims living under Frankish rule and the Christians, a handful of Franks, and Jews living under Islamic rule at various times.[113] There was a plethora of other communities, such as the Druze, Sabaeans, and Zoroastrians, but I focus on the three major Abrahamic faiths in this thesis.

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[110] Gil, *Palestine*, 220-1.

[111] See Prawer, "Social Classes", 59. Pierre Bourdieu's conception of social classes could encompass the differentiation of religious communities and I would not hesitate to use the term if I were discussing mainly the relations between religious minorities. See Elliot B. Weininger, "Pierre Bourdieu on Social Class and Symbolic Violence", in *Approaches to Class Analysis*, ed. E. O. Wright (Cambridge: Cambridge University Press, 2005), pp. 159, 165.

[112] Ellenblum, *Rural Settlement*, 29-31.

[113] Brian A. Catlos uses the term in a similar sense, defining it as a group that experienced a "static diaspora", meaning that "the politico-confessional border shifted above" the minority in question. Catlos, *Latin Christendom*, 42. See also Catlos, "Accursed, Superior Men: Ethno-Religious Minorities and Politics in the Medieval Mediterranean", *Comparative Studies in Society and History* 56.4 (2014): 844–69.

iii. The Dhimma: A Legal Framework for Ruler-Minority Relations in the Islamic World

The underpinnings of the Dhimma can be gathered from a few sections of the Qurʾān, and its implementation can be traced back to the measures which Muḥammad adopted when he incorporated Jewish tribes into the early Islamic polity. Sūrat al-Baqara, verse 256 (Qurʾān, 2:256), begins: *Lā ikrāha fī al-dīni* (routinely translated as "There is no compulsion in religion"), and Sūrat al-Kāfirūn, verse 6 (Qurʾān, 109:6), states: *Lakum dīnukum wa-lī dīnī* ("You have your law, and we have our law").[114] These two verses established a boundary between the early Muslim community and non-Muslims.[115] Mahmoud Ayoub also notes that the word *dhimma* appears in Sūrat al-Tawba, verses 8 and 10 (Qurʾān, 9:8, 9:10), in the context of purifying the pilgrimage to the Kaʿaba in Mecca from polytheists (Ar. *mushrikūn*). Only later, Ayoub argues, did it come to mean an Islamic obligation enjoining protection over Ahl al-Kitāb.[116] However, verse 5 and verse 11, which builds on verse 10, suggest the possibility of agreement between the believers and the *dhimmī*s. Taken together, verses 5-11 suggest that the term *dhimma* referred to covenants with People of the Book in the time of Muḥammad.[117]

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[114] The Constitution of Medina, drawn up by Muḥammad after his emigration from Mecca in 1/622, recalls this latter verse in stating that "The Jews have their expenditures, and the Muslims have their expenditures" (*wa-inna ʿalā al-yahūd nafaqatahum wa-ʿalā al-Muslimīn nafaqatahum*). Fred Donner translates *dīn* as divine law while other scholars have suggested debt. See the discussion in Fred Donner, "From Believers to Muslims: Confessional Self-Identity in the Early Islamic Community", *Al-Abhath* 50-51 (2002-2003): 14-5; cf. Mark R. Cohen, *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 2008), p. 22 and n. 22 (p. 213). For the text and translation of the Constitution, see Muḥammad ibn Isḥāq ibn Yasār, *Kitāb bayn al-Muhājirīn wa-al-Anṣār*, trans. Michael Lecker, *The "Constitution of Medina": Muḥammad's First Legal Document* (New Jersey: The Darwin Press, 2004), §44 (p. 37, Ibn Isḥāq's version).

[115] But see Donner, "Self-Identity", 21, who argues that the divide actually ran between believers (*muʾminīn*) and non-believers (*kāfirūn*), either of which group could include non-Muslim monotheists. I follow Donner insofar as early theological relations are concerned. In the political and diplomatic domain, Muḥammad did differentiate between the Muslims and their allies and specific tribes of Jews or Christians.

[116] Ayoub, "Dhimmah", 173-4, 176-8.

[117] I thank Raashid Goyal (Cornell University) for this observation.

Verse 29 of Sūrat al-Tawba (Qurʾān, 9:29) establishes the institution of the *jizya*, prescribing it to those among the People of the Book who submit to living under Islam. Muḥammad put this instruction into practice by offering the Jewish tribes of the Arabian Peninsula protection in exchange for payment of tribute at a time when all *muʾminīn* ("believers", i.e. monotheists) were expected to join the new community of Islam.[118] This attempt to incorporate Jews in the new super-tribe, whilst acknowledging their confessional identity, is reflected in two clauses of the "Constitution of Medina", as preserved in Ibn Hishām's *Sīrat al-nabī*:

> It is incumbent that whoever follows us from among the Jews, will have help and consolation and not be wronged or aided against
>
> …
>
> It is incumbent that the Jews support the Muslims when they are at war; the Jews of the Banū ʿAwf and the Muslims are one community: and the Jews have their *dīn* and the Muslims have their *dīn*.[119]

Jurists used the Qurʾān passages quoted above as well as examples of Muḥammad's policies towards the Ahl al-Kitāb, as recorded in Ḥadīth and in his biography, to elaborate a system of regulations and protections for *dhimmī*s.[120] In time, the collection of the *jizya* became the central requirement of every capitulation agreement imposed on minorities around the medieval Islamic world.

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[118] Cohen, *Cross and Crescent*, 55; Donner, "Self-Identity", 23; Oulddali, « Conditions de la résidence », 129.

[119] *Wa-innahu man tabaʿanā min al-Yahūd fa-inna lahu al-naṣr wa-al-iswa ghayr maẓlūmīn wa-lā mutanāṣir ʿalayhim*. […] *Wa-inna al-Yahūd yanfaqūn maʿa al-Muʾminīn mā dāmū muḥāribīn, wa-inna Yahūd Banī ʿAwf umma maʿa al-Muʾminīn: li-al-Yahūd dīnihim, wa-li-l-Muslimīn dīnihim*. ʿAbd al-Malik ibn Hishām, *Sīrat al-nabī*, ed. Majdī Fatḥī Sayyid (Tanta: Dār al-Ṣaḥāba li-l-Turāth, 1995), II: 127-8. Cf. Ibn Isḥāq's version, trans. Lecker, *First Legal Document*, 35.

[120] Ayoub, "Dhimmah", 178, 181-2; Crone, *Political Thought*, 370-3. See also ibn Isḥāq ibn Yasār, *Kitāb*, §44 (p. 33). Michael Lecker defines *dhimma* as the protection granted by the believers to all others.

However, there was little that was inherently unique in early applications of *dhimma* regulations that would distinguish them from Roman ordinances concerning minorities.[121] *Dhimma* restrictions on the restoration of churches reflected Roman restrictions on the restoration of synagogues.[122] And *dhimmī*s are assigned their own *dīn* in Sūrat al-Kāfirūn, as seen above, just as Jews could follow their own laws and customs (Ln. *lex*, *ius*, *mos*) in the Roman Empire.[123] Application of this Qurʾān principle must have depended on recognition of the legal status of Jews, as would have been the case in the Romans' application of laws pertaining to Jews. We may suspect that the first caliphs were also aware of Sassanian customs for governing confessional minorities.[124] Early *dhimma* regulations were only exceptional insofar as their application was restricted to those categorized as People of the Book.[125]

During the early Islamic conquests, the application of *dhimma* regulations depended on the specific terms negotiated by Muslim generals and the representatives of former Byzantine towns.[126] The diverse applications of *dhimma* regulations probably morphed

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[121] Marshall G. S. Hodgson, *The Venture of Islam: Conscience and History in a World Civilization*, 3 Vols. (Chicago: University of Chicago Press, 1974), I: 242-3; Milka Levy-Rubin, *Non-Muslims in the Early Islamic Empire: from Surrender to Coexistence* (Cambridge: Cambridge University Press, 2011), pp. 121-30, cited in Oulddali, « Conditions de la résidence », 131; Cohen, *Cross and Crescent*, 55.

[122] Cohen, *Cross and Crescent*, 58; Abulafia, *Service*, 13-4, 20; see also Capucine Nemo-Pekelman, Laurence Foschia, « Introduction : un aperçu des sources juridiques latines et grecques relatives aux Juifs du VI^{e} au XI^{e} siècle », in *Jews in Early Christian Law: Byzantium and the Latin West, 6th–11th Centuries*, eds. John Tolan, Nicholas de Lange, Laurence Foschia, Capucine Nemo-Pekelman [Religion and Law in Medieval Christian and Muslim Societies 2] (Turnhout: Brepols, 2014), p. 20.

[123] Ralph W. Mathisen, "The Citizenship and Legal Status of Jews in Roman Law during Late Antiquity (ca. 300-540 CE)", in *Jews in Early Christian Law*, esp. p. 39.

[124] See Hodgson, *Venture of Islam*, I: 242-3; Cohen, *Cross and Crescent*, 55; Levy-Rubin, *Non-Muslims*, 21-4, 29-30, 121-30; Arjomand, "Legitimacy", 227.

[125] Crone, *Political Thought*, 359, 370.

[126] Donald R. Hill, *The Termination of Hostilities in the Early Arab Conquests, A.D. 634-656* (London: Luzac, 1971), esp. pp. 3-4, 168-80; see also Daniel C. Dennett, *Conversion and the Poll Tax in Early Islam* [IAD Religio-Philosophy (Reprint) Series 51] (Delhi: Idāra al-Adabīyāt al-Dallī, 1950, reprint 2000), pp. 55-6. For the power relations reflected in the stipulations, see: Albrecht Noth, "Problems of Differentiation between Muslims and non-Muslims: Re-reading the 'Ordinances of 'Umar' (*al-Shurūṭ al-'Umariyya*)", in *Muslims and*

into a comprehensive Islamic template for delineating the privileges and obligations of the Ahl al-Kitāb during the reign of a later caliph, perhaps ʿUmar ibn ʿAbd al-ʿAzīz (Caliph "ʿUmar II", 98-101/717-720).[127] This template became known as the *Shurūt al-ʿUmarīya* (*The Ordinances of ʿUmar* or *The ʿUmarian Terms*, commonly translated as *The Covenant of ʿUmar* or *The Pact of ʿUmar*) in medieval Islamic legal texts.[128] Muslim chroniclers and jurists attributed the *Shurūt* (or its final approval) to the second of the Rāshidūn caliphs, ʿUmar ibn al-Khaṭṭāb (12-22/634-644), and associated it with the conquest of Jerusalem or Lydda and the rest of Palestine ("al-Jazīra", according to Ibn Qayyim al-Jawzīya). According to al-Ṭabarī, ʿUmar actually issued one truce to the inhabitants of Jerusalem and another, shorter truce to the inhabitants of Palestine.[129] While various versions of the *Shurūt*, as recorded in Islamic chronicles and legal texts, owe aspects of their later form to early negotiations undertaken in the reign of this ʿUmar, it cannot be proven that any single version of the *Shurūt* preserved in ʿAbbāsid-period texts is an accurate copy of any original agreement.[130]

Appendix A contains the stipulations of the *Shurūt* according to the version preserved in the eighth/fourteenth century *Aḥkām ahl al-dhimma* (*Ordinances on the*

Others in Early Islamic Society, ed. Robert Hoyland [The Formation of the Classical Islamic World 18] (Aldershot: Ashgate, 2004), pp. 103-4; Cohen, *Cross and Crescent*, 54, 57ff, 62-3.

[127] See Cohen, *Cross and Crescent*, 62; Fattal, *Statut légal*, 97ff.

[128] See, for example, Ibn Qayyim al-Jawzīya, *Aḥkām ahl al-dhimma*, ed. Ṣubḥī Ṣāliḥ (Damascus: Maṭbaʿat Jamiʿat Dimashq, 1961), II: 657.

[129] Abū Jaʿfar Muḥammad ibn Jarīr ibn Yazīd al-Ṭabarī, *Tārīkh al-rusul wa-al-mulūk*, eds. M. J. de Goeje et al., *Annales quos scripsit Abu Djafar Mohammed ibn Djarir at-Tabari*, 15 Vols. (Leiden: Brill, 1879-1901, reprint 1964), I: 2405-7 [Reprint Edition]; trans. Yohanan Friedman, *The History of al-Ṭabarī, Volume 12: The Battle of al-Qādisiyyah and the Conquest of Syria and Palestine* [Bibliotheca Persica] (Albany: State University of New York Press, 1989), sub anno 15 (pp. 191-2).

[130] See the detailed study by A. S. Tritton: *The Caliphs and their Non-Muslim Subjects: A Critical Study of the Covenant of ʿUmar* (London: Humphrey Milford and Oxford University Press, 1930) and Noth, "Problems of Differentiation", 103-24, and n. 4 (p. 104) on the different versions of the *Pact*. See also Fattal, *Statut légal*, 96-9; Norman A. Stillman, *The Jews of Arab Lands: A History and Source Book* (Philadelphia: Jewish Publication Society of America, 1979), pp. 25-7; Cohen, *Cross and Crescent*, 57-8; and Emon, "Regulation of Minorities", 58-9 and nn. 44-5.

People of the Book) of Ibn Qayyim al-Jawzīya, written from the perspective of submissive Christians. Ibn Qayyim al-Jawzīya's version of the *Shurūt* circulated in the Mamlūk period and thus reflects the Dhimma as it was understood by the Mamlūks—and possibly by the Ayyūbids and other dynasties before them. The text thus enumerates what his contemporaries would have deemed standard restrictions on *dhimmī*s in terms of worship and sartorial/sumptuary laws.[131] The *jizya* is absent in his version, though some form of tribute collection would have been implemented alongside the stipulations.[132]

The experience of *dhimmī*s varied across time periods and location in terms of their status and privileges, despite attempts on the part of jurists like Ibn Qayyim al-Jawzīya to invoke the "original" *Shurūt*. Their conditions depended on how jurists interpreted the Dhimma and how individual rulers applied different legal guidelines.[133] *Dhimmī* communities usually enjoyed a degree of autonomy under their own community leader, i.e. a bishop or rabbi. Some individuals among the *dhimmī*s entered the service of the caliphs,

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[131] See Fattal, *Statut légal*, 96ff.

[132] The *jizya* is also absent in Muḥammad ibn al-Walīd al-Ṭurṭūshī's fourth century/eleventh century *Sirāj al-mulūk* (*The Lamp for Kings*). A few early reports of Islamic capitulation truces and their terms do not mention the collection of the *jizya*, and some reports suggest that the *jizya* was paid in exchange for the Dhimma. E.g. Hill, *Termination of Hostilities*, no. 210 (pp. 88-9) [n.b. "Type C2"]. The *jizya* appears in three stipulations in the version of the *Shurūt* preserved in the universal chronicle of Abū Jafar Muḥammad al-Ṭabarī (224-5-310/839-923), *Tārīkh al-rusul wa-al-mulūk* (*The History of Kings and Prophets*). The "Treaty of Tudmir", concluded in c. 94/713 by the Muslim conquerors of Iberia and the Visigothic count Theodemir (d. 125/743) and preserved in a late sixth/twelfth century history also calls explicitly for the collection of the *jizya*. It appears that the collection of the *jizya* had become standardized and explicitly stated in truces by at least the third/ninth century. Muḥammad ibn al-Walīd al-Ṭurṭūshī, *Sirāj al-mulūk*, translated in J. M. Gaudeul, *Encounters & Clashes: Islam and Christianity in History* (Rome: Pontificio istituto di studi arabi e d'islamistica, 2000), pp. 48-9; al-Ṭabarī, *Tārīkh al-rusul*, I: 2405-6, translated in Gaudeul, *Encounters & Clashes*, 47 and Friedman, *History of al-Ṭabarī*, sub anno 15 (pp. 191-2). The Treaty of Tudmir survives in the *Kitāb bugyat al-multamis fī tārīkh rijāl al-Andalus* of al-Dabbī, d. 599/1203. See the translation by Olivia Remie Constable in *Medieval Iberia: Readings from Christian, Muslim, and Jewish Sources* (Philadelphia: University of Pennsylvania Press, 1994), pp. 37-8 and D. Fairchild Ruggles, "The Stratigraphy of Forgetting: The Great Cathedral of Cordoba and its Contested Legacy", in *Contested Cultural Heritage*, ed. Helaine Silverman (New York: Springer, 2011), p. 64.

[133] Oulddali, « Conditions de la résidence », 128, 131-2. Legal texts treating *dhimmī*s appeared in the fifth/eleventh century, which points to the gradual institutionalization of ruler-minority relations. Examples include al-Ḥulwānī's *Kitāb aḥkām ahl al-dhimma* (composed in 480/1087-1088) and sections of al-Sarakhsī's (d. 490/1096) *Kitāb al-mabṣūt*. *Kitāb al-kharāj* (*The Book of Land Tax*) of Abū Yūsuf Yaʿqūb (d. 182/978) also deals with *dhimmī* laws. Fattal, *Statut légal*, 101; Cohen, *Cross and Crescent*, n. 8 (p. 222-3).

rendering them more powerful than some Muslim strata in their societies. Implicit too in every version of the *Shurūt* was access to places of worship, though the extent of public displays of worship by *dhimmī*s could vary between agreements. Some communities were allowed to restore or even construct places of worship.[134]

Thus, there were discrepancies between versions of the *Shurūt* and discrepancies in the application of the Dhimma.[135] Nevertheless, any breaches on the part of rulers of the basic duty of Dhimma for the Ahl al-Kitāb could elicit the criticism of the *ʿulamāʾ*.[136] The Dhimma was thus an integral reference point for governing the relations between Muslim rulers and their non-Muslim subjects. In the same period that legal texts on the Dhimma began to appear, Christian conquerors first encountered the challenges that came with governing newly conquered Muslim (and Jewish) populations. The basic framework for ruler-minority relations in the ʿAqd al-Dhimma—promising protection (Dhimma) and a degree of communal autonomy in exchange for the poll tax, restricting public displays of worship and wealth, and forbidding proselytization—was undoubtedly noticed by Christian rulers seizing control of former Islamic territories. The ʿAqd al-Dhimma may have provided a template for their government as well.

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[134] For a detailed overview of public and private Dhimma regulations, see Fattal, *Statut légal*, 73-4; see also Riley-Smith, "Government and the Indigenous", 126-7; Cohen, *Cross and Crescent*, 58.
[135] See the discussion in Cohen, *Cross and Crescent*, 73-4.
[136] Abū al-Maḥāsin, *Al-Nawādir al-sulṭānīya wa-al-maḥāsin al-Yūsufīya*, ed. Gamal el-Din El-Shayyal (Cairo: Muʾassasat al-Khānjī, 1962), p. 226; trans. D. S. Richards, *The Rare and Excellent History of Saladin* [Crusade Texts in Translation 7] (Aldershot: Ashgate, 2001), p. 222; Abū Yaʿlā al-Tamīmī Ḥamza ibn Asad ibn al-Qalānisī, *Al-Maʿrūf bi-dhayl tārīkh Dimashq*, ed. Suhayl Zakkār (Damascus: Dār Ḥassān, 1983), p. 220; trans. H. A. R. Gibb, *The Damascus Chronicle of the Crusades* (London: Luzac, 1932), p. 44. Cohen, *Cross and Crescent*, 74.

iv. Christian Frameworks for Ruler-Minority Relations

No theoretical framework for Muslim subjects seems to have been produced before it fell upon Christian conquerors to contrive *in situ* real policies to rule over them. In some instances, the process of contriving frameworks for governing Muslims may have entailed borrowing the pre-existing Islamic order and reversing it. Yet, there is scarcely any evidence suggesting that Christian models of minority governance replicated *dhimma* rules, and I have already mentioned the formative impact of Augustine of Hippo in the introduction to this chapter. His theory of the legitimate place of Jews in Christian society was upheld and became part of Papal-Roman law long before Islam developed the standardized capitulation terms examined above.[137]

An incident that occurred just before the appearance of Islam demonstrates how the protected status of Jews had already become codified by the late sixth century. Around 598, Pope Gregory I (590-604) dispatched a letter to the bishop of Palermo, admonishing him for expropriating the town's synagogues. Since the synagogues had already been consecrated as churches by the time Gregory's instructions were received, the pope ordered that the Jews be compensated instead of having their places of worship restored to them.[138] According to Anna S. Abulafia, this is an example of "straightforward Roman law in its Christian guise." Abulafia explains that "one could interpret [the pope's] ruling as a legal expression of the theological concept of allowing Jews a place in Christian society." Gregory

[137] I use the term 'Papal-Roman law' to differentiate between the legal system devised and practiced in the Roman Empire and the Roman law tradition as subsumed and expanded by the Papacy. This distinction is important here because the Jews already had rights and citizenship prior to the adoption of Augustinian thought by the Papacy. See Mathisen, "Legal Status", 39.

[138] Abulafia, *Service*, 21; Bruno Judic, « Grégoire le Grand et les Juifs, pratiques juridiques et enjeux théologiques », in *Jews in Early Christian Law*, 104-5.

extended the same principle to include the right to practice the Jewish faith. He had also extended protection to their persons and possessions.[139]

Thus, pre-Islamic Roman law even provided precedents for the Dhimma. Roman law had also safe-guarded the *lex* of the Jews, which must have informed the language of later Christian decrees aimed at allowing Muslims their *lex*. The Code of Theodosius (published in 438) and the Code of Justinian (early sixth century) also prevented Jews of protected status from possessing Christian slaves just as some versions of the *Shurūt* forbade non-Muslims from having Muslim slaves.[140] As seen above, the Dhimma had developed into a standardized set of practices accompanied by an extensive legal-theoretical framework that was applied more or less uniformly around the Mediterranean region by the ʿAbbāsid period. In the fifth/eleventh and sixth/twelfth centuries, Christian conquerors encountered their co-religionists who had lived under this Islamic framework, and some scholars have argued that Christian rulers then borrowed aspects of the Dhimma to govern the Muslim minorities that now fell under their reign.[141] In the following, I explore the question of possible adaptations with reference to Norman Sicily, the Crown of Aragon, and two canons of the Fourth Lateran Council.

According to Jeremy Johns, "the Muslims of Sicily became *ahl al-dhimma* in their own land, by means of an adaptation, to the needs of their Christian conquerors, of the

[139] Judic, « Grégoire le Grand », 103-7.
[140] Judic, « Grégoire le Grand », 96.
[141] Leopoldo Torres Balbás, "Mozarabías y juderías de las ciudades hispanomusulmanas", *Al-Andalus* 19 (1954): 172-99, cited in Robert Ignatius Burns, *Islam under the Crusaders: Colonial Survival in the Thirteenth-Century Kingdom of Valencia* (Princeton: Princeton University Press, 1973), n. 7 (p. 157); Thomas F. Glick, *Islamic and Christian Spain in the Early Middle Ages* (Princeton: Princeton University Press, 1979), pp. 187-8, who adds that the Islamic *dhimma* tended to protect minorities more effectively since Islamic law was "universal and unchangeable". See also Kathryn Miller, *Guardians of Islam: Religious Authority and Muslim Communities of Late Medieval Spain* (New York: Columbia University Press, 2008), p. 4.

Islamic law and practice governing the surrender of non-Muslim communities."[142] In other words, Johns argues that the Normans reversed the situation, borrowing some of the measures that the Kalbīds and Zīrīds before them had applied to the local Christian and Jewish population. Thus, the Muslims were granted safety (Ln. *foedus*; corresponding to the Arabic *amān*) and were obliged to pay tribute (Ln. *tributum*, *censum*; Sicilian *gisia*/*gesia*), though the privileges granted to individual communities varied.[143] Johns' main argument for this assertion is the similarity of the Norman poll tax to the *jizya*, which, following Claude Cahen, he deems central to the Dhimma. His argument rests on the accounts of two individuals, the Egyptian poet Ibn Qalāqis (532-567/1137-1172) and the Andalusī pilgrim and merchant, Ibn Jubayr (539-614/1144-1217), who landed in Sicily in 580/1184.[144]

Ibn Jubayr's account highlights the difference between the conditions of Muslims living under the *dhimma* of the Normans and the conditions of those living only under a truce of surrender:

> The Muslims of this city preserve the remaining evidence of the faith. They keep in repair the greater number of their mosques, and come to prayers at the call of the muezzin. In their own suburbs they live apart from the Christians. The markets are full of them, and they are the merchants of the place. They do not congregate for the Friday service, since the *khutbah* is forbidden. […] They have a *qadi* to whom they refer their law-suits […] in general these Muslims do not mix with their brethren under infidel patronage (*dhimmat al-kuffār*), and enjoy no security for their goods, their women, or their children.[145]

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[142] Johns, *Arabic Administration*, 34; cf. Catlos, *Latin Christendom*, 113.
[143] Johns, *Arabic Administration*, 34.
[144] Abū al-Futūḥ Naṣr ibn ʿAbd Allāh ibn Qalāqis, *Al-Zahr al-bāsim wa-al-ʿarf al-nāsim fī madīḥ al-ajall Abī al-Qāsim*, ed. ʿAbd al-ʿAzīz Ibn Nāṣir al-Māniʿ (Riyad: Matabiʿ Yamiʿat al-Malik Suʿud, 1984), pp. 33-8; trans. Adalgisa de Simone, *Splendori e misteri di Sicilia in un'opera di Ibn Qalāqis* (Soveria Mannelli: Rubbettino, 1996), p. 29; Abū al-Ḥusayn Muḥammad ibn Aḥmad ibn Jubayr al-Kinānī, *Riḥla* (Beirut: Dār Ṣādir, 1964), p. 297; trans. R. J. C. Broadhurst, *The Travels of Ibn Jubayr* (London: Jonathan Cape, 1952), pp. 339-40.
[145] Ibn Jubayr, *Riḥla*, 305-6; trans. Broadhurst, 348-9: *Wa-li-l-Muslimīn bi-hādhihi al-madīna rasm bāqin min al-īmān yaʿmarūn akthar masājidihim wa-yaqīmūn al-ṣalā bi-aẓān masmūʿ wa-lahum arbāḍ qad infaradū fīhā bi-sukanā<'>hum ʿan al-Naṣārā al-aswāq maʿmūra bihim wa-hum al-tujjār fīhā wa-lā jamaʿ lahum bi-sabab al-khuṭba al-maḥẓūra ʿalayhim… wa-lahum bihā qāḍin yartafʿūn ilayhi fī aḥkāmihim… wa-bi-al-jumla fa-hum*

Johns clarifies that the Muslims described here had not obtained protection under the Norman *dhimma* agreement.[146] A closer reading of the passage can suggest other stipulations that the Norman capitulation agreements included. First, Ibn Jubayr's observations that the non-protected Muslims of Palermo maintained their mosques suggests that elsewhere mosques were not being maintained, which could be a result of Norman proscriptions. Such measures would reflect Islamic *dhimma* stipulations that restricted the restoration of churches. Ibn Jubayr also notes that these Muslims maintained the public call to prayer, which the Normans ended elsewhere.[147] And his observation on the dominance of Muslim vendors in the markets may also suggest that merchant activity was affected by the Normans' conquest beyond the confines of this Palermitan Muslim enclave.

A different process of adaptation occurred in the Iberian Peninsula during the conquests of James I of Aragon and his successors, in which Robert Burns perceives only limited "osmotic borrowing" of the Dhimma by the Christian conquerors. Brian Catlos goes even further, discounting any notion that the Christian capitulation truces there intentionally mirrored the existing *dhimma* agreements. He argues that any similarities "arose from logistical and military exigencies which resembled those of the Muslim invaders four centuries earlier." Agreements, Catlos contends, were based on discrete contracts (*convenienças*), not "the Contract" (ʿAqd al-Dhimma).[148] Indeed, nothing in the

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ʿazbā' ʿan ikhwānihim al-Muslimīn taḥt dhimmat al-kuffār wa-lā aman lahum fī amwālihim wa-lā fī ḥarīmihim wa-lā abnā'ihim.

[146] Johns, *Arabic Administration*, 36.

[147] Ibn Jubayr, *Riḥla*, 305; trans. Broadhurst, *Travels*, 348. Ibn Jubayr notes that he had not heard the call to prayer (*aẓān*) for a long time during his journey through Sicily. Cf. Secord, *Three Worlds*, 225, 226.

[148] Catlos, *Victors and the Vanquished*, 98; Catlos, *Latin Christendom*, 389, 393; Burns, *Colonial Survival*, 157.

Aragonese truces resembles closely what we find in the *Shurūt*, although some stipulations may evoke *dhimma* agreements in a general way.

Indeed, the capitulation agreement of Eslida, first drafted in 639/1242, and renewed or modified in Muharram 675/June 1276, guarantees the Muslims of the town access to their mosque (*meschis*), safeguards their adherence to Islam by upholding the Sharīʿa (*lex*), allows them the call to prayer (*oracio*), and ensures that they can teach the Qurʾān (*alchorram*), which could all reflect Roman law stipulations.[149] Additional agreements issued by James I and Peter II to the Muslims of Alfandec de Mariñén in 676/1277 and Quart in 678/1279, respectively, repeat these same stipulations but contain no restrictions on dress, public displays of worship, or the upkeep of mosques, which would resemble stipulations found in the *Shurūt*.[150] Even the Christian poll tax, the *besant*, was administered differently from the *jizya* in the Iberian Peninsula.[151] Rather, what appears to be present in these agreements is an expectation of the protections that a Christian conqueror should grant to the Muslims that come under his rule. This broader expectation or standard of treatment does recall the overarching purpose of the Dhimma.

However, one agreement imposed by James I on the castle of Chivert (Ln. Exiverte; modern Alcalà de Xivert, north of Valencia) in 631/1234 contains one stipulation that can be found in *dhimma* regulations.[152] Like the agreements above, the Muslims of Chivert were

[149] Arxiu de la Corona d'Aragó, Barcelona [= ACA], Jaume I, Reg. Canc. 38, fol. 3r-3v, edited in Robert I. Burns, *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia: Societies in Symbiosis* (Cambridge: Cambridge University Press, 1984), pp. 289-90. For background, see Burns, *Societies in Symbiosis*, 60-2; Fancy, *Mercenary Mediterranean*, 114.
[150] ACA, Jaume II, Reg. Canc. I96, fols. 164v-165r, ed. Burns, *Societies in Symbiosis*, 290; ACA, Pere III, Reg. Canc. 44, fol. 149v-150r, ed. Burns, *Societies in Symbiosis*, 291. For background, see Burns, *Societies in Symbiosis*, 60, 72.
[151] Meyerson, *Muslims of Valencia*, 146 and n. 5 (p. 317).
[152] Archivo Histórico Nacional, Madrid [= AHN], Ords. militares, codex 542, Montesa (28 April 1234); Burns, *Colonial Survival*, 118, 290.

also allowed to practice their "law and Sunna" (*suam legem et çunam*) and could maintain "their Friday mosque and orations" (*suam mesquitam maiorem cum omnibus oratoris*, i.e. the *khuṭba*). But the Muslims of Chivert were also obliged "not to form infantry or cavalry units against other Muslims or Christians unless perchance any Muslims or Christians cause mischief or seriously attack their castle or possessions."[153] This stipulation recalls *dhimma* restrictions on members of the Ahl al-Kitāb carrying weapons, which was interpreted by jurists to mean participation in military campaigns. The case of Chivert points to a singular instance of possible legal borrowing in the Aragonese context.

In the canons promulgated at the Fourth Lateran Council (1215), we find a closer parallel to the Dhimma that actually drew on Roman law and Old Testament precedent. Like the *Shurūt*, the *Canons* include a general proscription on Jewish and Muslim men and women dressing similarly to Christians, accompanied by a reference to Mosaic Law.[154] The *Canons* also bar Jews from holding office over Christians, following a decision pronounced at the Third Council of Toledo (589).[155] The *Decretals* of Pope Gregory IX (1227-1241) also prohibited the construction of synagogues while protecting the right of Jews to practice their faith, in both aspects repeating the earlier Roman law stipulations (see section iii

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[153] *Insuper serraceni non teneantur facere hostem vel cavalcatam contra serracenos alios aut christianos nisi forte aliqui sarraceni aut christiani facerent aliquod malefficium vel forciam vel gravamen castro suo et rebus suis*. AHN, Ords. militares, codex 542, Montesa (28 April 1234), ed. Manuel Ferrandis e Irles, in *Homenaje á D. Francisco Codera en su jubilación del profesorado* (Zaragoza: M. Escar, 1904), p. 31; cf. "Colección de cartas pueblas", *Boletín de la sociedad castellonense de cultura* 24 (1948), nr. 76 (pp. 226-30); references from Robert Ignatius Burns, *Medieval Colonialism: Postcrusade Exploitation of Islamic Valencia* (Princeton: Princeton University Press, 2015), p 34; idem, *Colonial Survival*, 119, n. 3.

[154] For Old Testament sartorial laws, see Deuteronomy 22:5; also Deuteronomy 22:12; Numbers, 15:38-41; and Catlos, *Latin Christendom*, 372.

[155] *Conciliorum Oecumenicorum Decreta*, eds. Josepho Alberigo, Perikle-P. Joannou, Claudio Leonardi, Paulo Prodi (Freiburg: Herder, 1962), Canons 68, 69 (p. 242); trans. Harry Rothwell, "Canons of the Fourth Lateran Council", in *English Historical Documents 1189-1327*, ed. Harry Rothwell (London: Eyre & Spotiswoode, 1975), pp. 687-8, reprinted in *Readings in Medieval History*, ed. Patrick J. Geary, 5th Edn (North York: University of Toronto Press, 2016), pp. 403-4.

above).[156] Nothing about the *Canons* or *Decretals* suggests that Christian prelates directly drew on the Dhimma or were aware of it. The concerns of the council are comparable to the anxieties that the early Muslims, as a numerical minority, faced during their settlement in Syria.[157] However, Latin Christians of the thirteenth century also felt threatened by Christian groups deemed deviant or heretical and not only by Jews or Muslims.[158]

Based on the scant evidence presented above, we may surmise that the armies of the first crusaders brought with them some very basic guidelines for governing the diverse communities that they encountered in the Levant and Greater Syria. The crusaders were accompanied by some clerics, who may have been knowledgeable in Roman law, and by Norman chieftains, who surely drew on their experiences in Sicily.[159] Indeed, the canons of the Council of Nablus promulgated in 1120 (Appendix B) do reflect some of the same minority concerns examined above, and some canons even prefigure the canons on dress that later re-emerged at Lateran IV. Perhaps the Fourth Lateran Council also shaped the policies of seventh/thirteenth century Frankish rulers towards the confessional minorities who had remained under their rule up to that time. In the following section, I investigate whether the Franks in the Levant might have been aware of the Dhimma, and I explore the

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[156] Catlos, *Latin Christendom*, 372.

[157] Albrecht Noth, „Abgrenzungsprobleme zwischen Muslimen und Nicht-Muslimen: Die 'Bedlingugen 'Umars (*aš-šurūṭ al-ʿumariyya'*) unter einem anderen Aspekt gelesen", *Jerusalem Studies in Arabic and Islam* 9 (1987): 307-13", cited in Cohen, *Cross and Crescent*, 63.

[158] See *Decreta*, Canons 1-4, 13, 70 (pp. 206-12, 218, 243); trans. Rothwell, "Canons", 661-5, 670, 688; *Medieval History*, 384-7, 391, 404; Catlos, *Latin Christendom*, 373; see also Cohen, *Cross and Crescent*, 38, 62; Catlos, *Victors and the Vanquished*, 74, 273, 290; Berend, *Gate of Christendom*, 47-8; David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton: Princeton University Press, 1996), p. 133; Meyerson, *Muslims of Valencia*, 47.

[159] William of Tyre, whose views I examine below, was also trained in law. See the "lost" self-text of William of Tyre, edited in R. B. C. Huygens, « Guillaume de Tyre étudiant. Un chapitre (xix.12) de son « Histoire » retrouvé », *Latomus* 21 (1962): 823, lines 31-6; Joshua C. Birk, "Imagining the Enemy: Southern Italian Perceptions of Islam at the Time of the First Crusade", in *Just Wars, Holy Wars, and Jihads: Christian, Jewish, and Muslim Encounters and Exchanges*, ed. Sohail H. Hashmi (New York: Oxford University Press, 2012), pp. 94-5.

question of Frankish adaptations thereof. What the Franks deemed normative in their treatment of non-Christian minorities—and their awareness of the treatment of Christian minorities deemed normative by their Muslim neighbours—must be considered before we can fully understand the nature of the symbolic gestures that the Franks would have exchanged with Muslim rulers in local and regional political contests.

v. What the Franks Knew about the Dhimma

Few western medieval authors comment on the conditions of minorities under Islamic rule. The various versions of Pope Urban II's speech unsurprisingly emphasize the oppression of the Eastern Christians by the "Turks, a race of the Persians" or "Saracens" (depending on the version referenced).[160] Moreover, the crusaders had displaced Muslim rulers along with their systems of administration during their conquests. The local Christians thus transformed from *dhimmī*s into Frankish subjects in an instant. Their new status had to be reconstituted with minimal reference to pre-existing models. Yet there are scattered references to the *jizya* in some sources. Albert of Aachen refers to an agreement

[160] Fulcher of Chartres, *Chronicon*, ed. Heinrich Hagenmeyer, *Fulcheri Carnotensis Historia Hierosolymitana, (1095-1127)* (Heidelberg: C. Winters, 1913), p. 133; trans. Martha Evelyn McGinty, *Fulcher of Chartres: Chronicle of the First Crusade* (London: Humphrey Milford, 1941), pp. 15-6, reprinted in *The First Crusade: The Chronicle of Fulcher of Chartres and Other Source Materials*, ed. Edward Peters, 2nd Edn (Philadelphia: University of Pennsylvania Press, 1998), p. 52; additional sources in Jonathan S. C. Riley-Smith, Louise Riley-Smith, *The Crusades: Idea and Reality, 1095-1274* [Documents of Medieval History 4] (London: E. Arnold, 1981), pp. 37-53; Jonathan S. C. Riley-Smith, *The First Crusade and the Idea of Crusading*, 2nd Edn (Philadelphia: University of Pennsylvania Press, 2009), pp. 17-8; H. E. J. Cowdrey, *Pope Gregory VII, 1073-1085* (Oxford: Oxford University Press, 1998), p. 490; Bull, "Views of Muslims", 24; Jean Flori, « Croisade et Gihad », in *Le Concile de Clermont et l'appel a le Croisade. Actes du Colloque Universitaire International de Clermont-Ferrand, 23-25 June 1995* (Rome: Ecole française de Rome, Palais Farnèse, 1997), pp. 271-2, reprinted in *The Crusades and Latin Monasticism, 11th-12th Centuries* (Aldershot: Ashgate, 1999), who uses the term 'la Patrie' to refer to the eastern half of Christianity that the crusaders saw as their duty to protect.

under which Jews paid tribute to remain under Islamic rule in Haifa.[161] The canon regular Jacques de Vitry (d. 1240) observed many Christian communities during his travels in the Levant. He noted that they "continued to dwell among the Saracens, though they were brought down into a low estate, and oppressed by a hard yoke of slavery."[162] He also mentions a "yearly tribute" paid by the "Syrian" Christians (*Suriani*) in exchange for their residence in Jerusalem.[163] Elsewhere, Jacques' emphasis on the oppression of the Eastern Christians merely reflects the tradition of anti-Islamic rhetoric found in crusade propaganda, which can be traced back to Pope Urban's sermons and letters and beyond.

The prelate and royal tutor, William of Tyre (c. 1130-1186), provides our most accurate and in-depth barometer of minority conditions from the Frankish perspective.[164] He recounts various aspects of the Dhimma with accuracy, suggesting that he was familiar with Islamic legal and administrative practices insofar as they affected the livelihood of subjected Christians. He was also the best informed among (known) Frankish authors on Islamic history, having composed the now-lost *Historia orientalium principum* (*The History of Eastern Rulers*). He was therefore well situated to comment on the ebb and flow of

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[161] Albert of Aachen, *Historia Ierosolimitana*, ed. and trans. Susan B. Edgington, *History of the Journey to Jerusalem* (Oxford: Oxford University Press, 2007), 7.22 (p. 516); trans. 517; Gil, *Palestine*, 829, n. 3.

[162] *...sed extremis conditionibus afflicti et iugo dure servitutis oppressi inter Saracenos habtabant...* Jacques de Vitry, *Historia Hierosolymitana* [= *Historia orientalis*], ed. and trans. J. Donnadieu (Turnhout: Brepols, 2008), ch. 64, lines 7-8 (p. 256); trans. Aubrey Stewart, *The History of Jerusalem, A.D. 1180* [Palestine Pilgrims' Text Society] (London: Committee of the Palestine Exploration Fund, 1896), p. 47; cf. Exodus 22:21.

[163] Jacques de Vitry, *Epistulae*, ed. R. B. C. Huygens, *Lettres de Jacques de Vitry* (Leiden: Brill, 1960), nr. 2 (p. 89); trans. Malcolm Barber, Keith Bate, *Letters from the East: Crusaders, Pilgrims and Settlers in the 12th-13th Centuries* (Farnham: Ashgate, 2010), p. 104; see also Prior Philip, "Letter to Pope Gregory IX", quoted in Matthew Paris, *Chronica Majora*, ed. Henry Richards Luard, 7 Vols. (London: Longman, 1872-1883), III: 397 (s. v. *Literae ad dominum Papam*); trans. Barber, Bate, *Letters*, 134. Some of the Christian slaves spotted by Jacques de Vitry may have been Franks, according to Julien Loiseau: "Frankish Captives in Mamlūk Cairo", *Al-Masāq* 23.1 (2011): 38-9.

[164] Although William accounts for political factors and personal motivations, a moralizing aspect pervades the grand narrative of the *Chronicon*. See William of Tyre, *Chronicon*, 1.9, 1.11, 1.13-15 (I: 119-20, 125, 130); trans. Babcock, Krey, *Deeds*, I: 77; I: 83; I: 87-8; Tuomas M. S. Lehtonen, "By the Help of God, Because of Our Sins, and by Chance: William of Tyre Explains the Crusades", in *Medieval History Writing and Crusading Ideology*, eds. Tuomas M. S. Lehtonen, Kurt Villads Jensen, Janne Malkki, Katja Ritari (Helsinki: Finnish Literature Society, 2005), pp. 71-84.

regulations imposed on Christian subjects. And finally, William of Tyre also expresses his expectations of how the Franks were to behave toward Muslim minorities under their dominion. I begin by examining William of Tyre's appreciation for the protected status of minorities in the Frankish domains. I then examine several passages in William's *Chronicon* that suggest both a theoretical and a historical understanding of the Dhimma as it applied to Christians under Islamic rule.

In his account of the scandalous breach of a truce in c. 552/1157, William not only notes the diplomatic implications of the breach (examined in detail in Chapter 5); he also emphasizes the vulnerability of the Muslim pastoralists who suffered the attack:

> …this deed brought no glorious or laudable renown to our people, for they had violated a treaty of peace and had maltreated, as they would, an unsuspecting people—*men who relied upon the good faith of the king and who had, moreover, no means of resisting*. But the Lord, the God of vengeance, He who brings just retribution on sinners, did not suffer us to enjoy the rewards of our sin long; indeed He soon made it plain that, even with infidels, faith must be kept.[165]

William expected the Franks to uphold their truces, especially towards exposed groups who had entrusted the Franks with their safety, even if these groups consisted of Muslims. William repeats his dismay at another breach of trust, following negotiations between the Frankish king and a Nizārī Ismāʿīlī envoy, perpetrated by the Templars in 569/1173. William notes that the king apologized to the Nizārī leader to avoid blame for the

[165] *Nec tamen nostris ad aliquem glorie vel laudis propaganda titulum ascribi potest, cum pacis violatores et effractores federis homines incautos, de regis gratia presumentes, dum non esset qui eis resisteret male pro arbitrio tractaverunt. Sed iustus retributor dominus deus ultionum non diu passus est nos tam turpibus emolumentis letari, sed significans quod etiam infidelibus fidei tenor observandus sit illibatus…* William of Tyre, *Chronicon*, 18.11 (II: 826); trans. Babcock, Krey, *Deeds*, II: 256, my italics; see also 20.5 (II: 918; trans. Babcock, Krey, II: 351) and n. 15 (Babcock, Krey, II: 356); Jean Richard, *Le royaume latin de Jérusalem* (Paris: Presses Universitaires de France, 1953), p. 50. The notion of keeping faith *etiam infidelibus* ("even with infidels…") can be traced to Augustine and the *Decretum*, Causa 23, Questio 1.3. I thank Kirsty Schut (Centre for Medieval Studies, University of Toronto) for this reference.

incident.[166] The king's very authority was compromised by an unauthorized assault on a Muslim envoy travelling under safe-conduct.

Evidence for such attitudes in the Latin East are rare and the closest western parallels that come to mind are cases in which popes, like Gregory I, instructed church officials to desist from confiscating Jewish properties (section iv. above). More contemporaneous examples are evident in cases in which church officials attempted to prevent participants in holy war from persecuting Jews.[167] In very broad terms, these were cases of Christians attempting to uphold Roman law protections of Jews, whatever the motives might have been. We may never know how representative William of Tyre's views towards minorities were.[168] At the very least, we may read his account as an indicator of

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[166] …*de sua allegans innocentia immunis apparuit*. William of Tyre, *Chronicon*, 20.30 (II: 955, lines 45-6); trans. Babcock, Krey, II: 394: "By declaring his innocence… the king was able to clear his own honor." One must account also for William of Tyre's (and his copyists') criticisms of the Templars, as Peter W. Edbury has noted in an unpublished paper presented in 2008, which he has kindly made available online: http://www.academia.edu/36212198/The_Old_French_Translation_of_William_of_Tyre_and_Templars.

[167] Jonathan S. C. Riley-Smith, "The First Crusade and the Persecution of the Jews", in *Persecution and Toleration: Papers Read at the Twenty-Second Summer Meeting and the Twenty-Third Winter Meeting of the Ecclesiastical History Society*, ed. W. J. Sheils [Studies in Church History 21] (Basil Blackwell, 1984), pp. 62, 70.

[168] Pope Gregory IX did call upon the Patriarch of Jerusalem to expel a group of Christian thieves who were endangering a truce with the Ayyūbids in 635-6/1238. Gregory IX, *Les registres de Grégoire IX : recueil des bulles de ce pape*, ed. Lucien Auvray, 3 Vols. (Paris: Albert Fontemoing, 1896-1955), nr. 4149 (II: 916-17). Online translation available at http://crusades-regesta.com under nr. 2327. More parallels can be found in Geoffrey de Malaterra's *De rebus gestis Rogerii Calabriae et Siciliae Comitis et Roberti Guiscardi Ducis fratris eius* (*Regarding the Deeds of Roger Count of Calabria and Sicily and His Brother Duke Robert Guiscard*). Geoffrey reports that Roger and Robert ensured that the *lex* of the Muslims would be held sacrosanct: *...primores foedere interposito, utrisque fratribus locutum accedunt, legem suam nullatenus se violari vel relinquere velle dicentes...* ("the [Muslim] leaders accepted the word of both brothers [Roger and Robert], who declared that their law was by no means to be violated or relinquished…"). Geoffrey de Malaterra, *De rebus gestis Rogerii Calabriae et Siciliae comitis et Roberti Guiscardi ducis fratis eius, ed. Ernesto Pontieri* [Rerum Italicarum Scriptores 5] (Bologna: Nicola Zanichelli, 1928), 2.45 (p. 53). I thank Sarah Keeshan (Department of History, University of Toronto) for providing this reference. See also Birk, "Southern Italian Perceptions", 94-5. Another example can be found in the Byzantine chronicle of Nicetas Choniates, who describes with explicit disapproval how a group of French, Pisan, and Venetian vagabonds attacked the mosque in Constantinople. Nicetas Choniates, *Nicetae Choniatae Historia* [Corpus fontium historiae Byzantinae 11], ed. Ioannes Aloysius van Dieten, 2 Vols. (Berlin: de Gruyter, 1975), pp. 553-554; trans. Harry J. Magoulias, *O City of Byzantium: Annals of Niketas Choniates* (Detroit: Wayne State University Press, 1984), pp. 302-303; cited in Glaire Anderson, "Islamic Spaces and Diplomacy in Constantinople (Tenth to Thirteenth Centuries C.E.)", *Medieval Encounters* 15 (2009): 105. See also Nicholas Drocourt, "Christian-Muslim Diplomatic Relations. An Overview of the Main Sources and Themes of Encounter (600-1000)", in *Christian-Muslim Relations. A*

what a Frank in the royal court might deem acceptable or unacceptable in terms of the treatment of minorities. But we also know that his work was widely read and copied, and it may even have played a role in shaping the attitudes of Christian rulers towards non-Christian minorities.[169]

Other passages in the *Chronicon* also suggest a sense of reciprocity in terms of the expectations that William had—or had acquired—for how Muslim rulers should behave in their dealings with subjected Christians. And these expectations are often framed within a basic understanding of the Dhimma. For example, William notes that the early Muslim conquerors had imposed a "heavy tribute" upon the Christians of Jerusalem but also allowed them "to restore the ruined churches, to have their own bishop, and to follow the Christian devotion without restraint."[170] Here, William mentions the *jizya* and privileges granted to the Christians in terms of places of worship, autonomy, and freedom of worship. This is doubtless a reference to an early version of the *Shurūt*.

William also draws a clear link between diplomatic relations and the conditions of Christians under Islamic rule with reference to the negotiations between the Holy Roman Emperor Charlemagne (d. 814) and the ʿAbbāsid caliph Hārūn al-Rashīd (170-193/786-809). He notes that envoys were exchanged between the two rulers and that "good will between Harun and the Christians rested on an admirable treaty" between the caliph and

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Bibliographical History, Volume 2 (900-1050), eds. D. Thomas, A. Mallett (Leiden: Brill, 2010), pp. 58-9 and Catlos, *Latin Christendom*, 352 for additional examples.

[169] It may have also been shaped by "official" church policy: Pope Gregory IX waited until the expiration of the Treaty of Jaffa to preach a crusade. Thorau, *Lion of Egypt*, 15.

[170] *…eis factus tributarius extremis conditionibus …permittentes eis suum habere pontificem, ecclesiam etiam, que ut predictum est deiecta fuerat, reparare et religionem libere conservare christianam.* William of Tyre, *Chronicon*, 1.2 (I: 107); trans. Babcock, Krey, I: 62; see also See William of Tyre, *Chronicon*, 4.1, 10.28, 11.10 (I: 235, 487, 510); trans. Babcock, Krey, I: 189, I: 455; I: 478, for other references to the *jizya*.

the emperor.[171] William then describes the agreement that resulted from this truce, drawing on Charlemagne's biographer Einhard:

> When the ambassadors sent by Charles to visit the Most Holy Sepulchre and the place of the resurrection of our Lord and Saviour came to him [Hārūn al-Rashīd] with gifts and made known their master's wishes, he not only granted what they asked but gave them possession of that sacred and blessed place, that it might be regarded as placed under the power of Charles.[172]

Einhard's accounts of the negotiations have been interpreted by scholars as evidence for a Frankish "protectorate" in Jerusalem. I discuss the historical implications of Einhard's account in greater detail in the next chapter. Here, the focus is on following the trajectory of the conditions of Eastern Christians from William of Tyre's perspective. The above passage suggests that some adjustment was made in terms of the conditions of the Christians in Jerusalem, that is, that the terms of the Shurūt of 'Umar with Jerusalem may have been altered on account of the negotiations between the two rulers. William's account also reveals the possibility of leniency on the part of Muslim rulers towards their non-Muslim subjects. William does not suggest that the conditions of the Christians prior to the negotiations were harsh; the *status quo*, it seems, was to be expected and the collection of the poll tax considered acceptable.

A worsening in the conditions of the Christian minorities of the East also left a mark on William's assessment of minority conditions. He notes that during the reign of the Fāṭimid caliph al-Ḥākim (386-411/996-1021), the poll tax increased exponentially

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[171] *...domini videlicet imperatoris Karoli, qui mutuam intercurrentibus nuntiis frequentibus inter se gratiam et mirabili subnixam federe conciliaverant*... William of Tyre, *Chronicon*, 1.3 (I: 108); trans. Babcock, Krey, *Deeds*, I: 64.

[172] *Ac proinde cum legati eius, quos cum donariis ad sacratissimum domini ac Salvatoris nostril sepulchrum locumque resurrectionis miserat, ad eum venissent et ei domini sui voluntatem indicassent, non solum que petebantur fieri permisit, sed etiam sacrum illum et salutarum locum ut illius potestati ascriberetur concessit...* William of Tyre, *Chronicon*, 1.3 (I: 108); trans. Babcock, Krey, *Deeds*, I: 64.

"contrary to custom and to the privileges granted by their former lords."[173] Mention of former lords certainly refers to Muslim lords and not to any protections or privileges secured by Charlemagne. Later in the text, William recounts that the conditions of the Christians improved once again during the reign of al-Ḥākim's successor, who "granted the Christians the privilege of restoring the church [of the Holy Sepulchre]."[174] Apart from the singular case of al-Ḥākim, William attributed the worst minority conditions to Turkic rulers:

> …as long as the rule of the Egyptians and Persians continued, the Christians enjoyed somewhat better conditions. But when, in turn, the power of the Turks began to flourish and their sway was extended over the lands of the Egyptians and Persians, matters grew worse again.[175]

He provides more details on how matters could grow worse under Turkic rulers by recalling that "an infidel of the Turkish race called Balduk… inflicted many woes upon the citizens of Edessa by doubling the tribute and taxes on their fields and burdening them with services."[176] The number of references to improvements or setbacks in minority

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[173] *…contra privilegia a suis predecessoribus indulta exigebantur…* William of Tyre, *Chronicon*, 1.5 (I: 111); trans. Babcock, Krey, *Deeds*, I: 67. See also Barber, Bate, *Letters*, doc. 12 (p. 41); Fattal, *Statut légal*, 103-4.

[174] …*predictam ecclesiam reedificandi fidelibus concessit potestatem.* William of Tyre, *Chronicon*, 1.6 (I: 113); trans. Babcock, Krey, *Deeds*, I: 69.

[175] *Quamdiu tamen Egyptiorum aut Persarum prevaluit regnum, sub eorum imperio fideles melioribus usi sunt conditionibus; at vero postquam Turcorum invalescere iterum cepit regnum et eorum virtus super Egyptiorum et Persarum fines ampliari et in eorum urbs sancta decidit potestatem…* William of Tyre, *Chronicon*, 1.6 (I: 114); trans. Babcock, Krey, *Deeds*, I: 70-1; see also 5.20 (trans. Babcock, Krey, *Deeds*, I: 254).

[176] *…vir infidelis, natione Turcus, Balduc nomine… predictos cives multis afficiebat molestiis, tribute et agrorum vectigalia et angarias multiplices eis ingeminans…* William of Tyre, *Chronicon*, 4.4 (I: 237); trans. Babcock, Krey, *Deeds*, I: 192. The ruler named may be Sukmān ibn Ortoq. See Ibn al-Qalānisī, *Tārīkh Dimashq*; trans. Gibb, *Damascus Chronicle*, 50; cf. Abū al-Muẓaffar Sibṭ ibn al-Jawzī, *Mirʾāt al-zamān fī tārīkh al-aʿyān*, ed. James Richard Jewett (Chicago: University of Chicago Press, 1907), p. 6; trans. William McGuckin de Slane, *Extraits du miràt ez-zèmân*, in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'acadèmie des inscriptions et belles-lettres, Vol. 3 (Paris: Imprimerie nationale, 1884), p. 523. On the treatment of Turkic groups, such as the Seljuks, towards Christians, see Nicholas Morton, "The Saljuq Turks' Conversion to Islam: The Crusading Sources", *Al-Masaq* 27.2 (2015): 109-18.

conditions in the *Chronicon* is astounding.[177] More importantly, William of Tyre provides other details of regulations imposed on the *dhimmī*s in other passages. For example, he repeatedly mentions that Eastern Christians were excluded from military service, which William deems disadvantageous for the Christians.[178] Living under Muslim rulers, William notes, restricted the number of professions which Christians could enter, though the causal link is not always made clear in the chronicle.

Therefore, William understood that his Eastern Christian co-religionists had come to rely on the willingness of their rulers to uphold a certain standard of treatment, which mirrored the standard of treatment that he expected Frankish rulers to apply.[179] We recognize this standard of treatment as the Dhimma, a concept that was so pervasive that a chronicler as thorough and perceptive as William could not have missed it. Evidently he did not know or require the Arabic term for it. Yet, William knew that the Dhimma did not operate in a vacuum; he knew that the worsening of conditions for Eastern Christians was not always due to unruly Turkic warlords but could also result from the repercussions of Christian military activity. For example, he recounts that Muslim rulers oppressed the Christians co-habiting their cities during the campaigns of the Franks.[180] William was aware that the Muslims held their Eastern Christian townspeople suspect as a fifth column. On the other hand, William noted that there were "good" Muslim rulers who had ameliorated the circumstances of the Eastern Christians through conducting negotiations

[177] See William of Tyre, *Chronicon*, 1.9, 1.10, 3.19, 4.1, 4.7, 8.23, 9.17, 18.28 (I: 121-2, 123-4, 222, 235, 240-1, 416, 443, II: 851); trans. Babcock, Krey, *Deeds*, I: 79, I: 81, I: 179, I: 189, I: 195-6, I: 377, I: 405, II: 284.
[178] William of Tyre, *Chronicon*, 4.1, 5.11 (I: 233-4, 285-6); trans. Babcock, Krey, *Deeds*, I: 188, I: 241.
[179] William even goes so far as to exonerate Muslims who had helped the Franks, though the "dream of conversion" typical of thirteenth century church discourse permeated any signs of real conciliation. See also Sivan, *L'Islam et la croisade*, 180 for the strict adherence of Nūr al-Dīn and Ṣalāḥ al-Dīn to Dhimma regulations.
[180] William of Tyre, *Chronicon*, 5.19, 7.23, 8.8 (I: 296, 375, 396); trans. Babcock, Krey, *Deeds*, I: 252, I: 334, I: 354.

with representatives of Christendom, as Hārūn al-Rashīd had done in his negotiations with Charlemagne.

This complex web of interactions and expectations, which was framed by the Dhimma and its Christian equivalent (informed by Roman Law), can be called a shared minority discourse. This discourse did not necessarily mean that rulers communicated with, or even explicitly about, minorities (although they often did). Rather, I mean discourse in the Foucauldian sense, as "l'ensemble des énoncés à travers lesquels [les] catégories se sont constitués" ("the assemblage of expressions around which categories are constituted").[181] I mean, in essence, the recognition shared by a sequence of rulers that confessional minorities mattered as constituents in diplomatic engagements as well as their communication of this recognition by various political and symbolic acts during the processes of negotiating peace and carrying out war.

I argue in Chapter 3 that this discourse emerged as an aspect of royal authority and had its roots in ʿAbbāsid-Carolingian and ʿAbbāsid-Byzantine diplomacy. Furthermore, this discourse found expression through gestures and symbolic actions that revolved around diplomacy and ruler-minority relations. Few authors theorized on this discourse, so we must rely mainly on chronicles in which we can seek evidence for the expressive and instrumental actions and reactions of Christian and Muslim rulers. In the following section, I return to the question of the theoretical framework that the Franks, or some Frankish rulers, to be more precise, adopted (or adapted) when confronted by the challenge of ruling a multiethnic society in the Levant.

[181] Michel Foucault, *L'archéologie du savoir* (Paris: Gallimard, 1969), p. 46.

vi. Speculation on Frankish Adaptations of the Dhimma

Claude Cahen first touched on the possibility of a Frankish Dhimma in the Latin East but limited his brief discussion to the collection of poll tax.[182] Joshua Prawer perceived enough similarities between the Islamic Dhimma and Frankish practices to claim that the Dhimma "was taken over by the crusaders" and suggests that the Franks made use of two aspects of the Dhimma: grants of legal autonomy, which the Eastern Christians, Jews, and Muslims had expected the Franks to renew as per earlier Islamic custom; and the poll tax. Prawer proposes that the Frankish *capitatio* was "doubtless a descendant of the Moslem *jizyah*, paid by every male over fifteen."[183] Jonathan Riley-Smith provides additional evidence, arguing that *kharāj* (land tax, Ln. *carragium*) collected by the Franks, distinctions in dress, differentiated legal status, access to places of worship, and the maintenance of sites of worship were additional signs that the Franks had subsumed the Dhimma. He concludes by stating that the "The settlers clearly maintained the system of *dhimma* with respect to Jews and [also] imposed it on Muslims."[184]

The preceding discussion on Roman law and the *Shurūt* should alert us to the risk of assuming adaptation when we perceive similarities between administrative traditions. By the sixth/twelfth century, legal autonomy for (Jewish) minorities was prescribed by both Roman law, as elaborated by medieval canonists, and by the Dhimma, as elaborated by jurists in the ʿAbbāsid period.[185] Whether or not the Franks adapted Roman law or Islamic

[182] Cahen, « Régime rural », 289, 301.
[183] Prawer, "Social Classes", 102, 113; see also Prawer, *Latin Kingdom*, 64-5, 101, and n. 153 (p. 103).
[184] Riley-Smith, "Government and the Indigenous", 128-9; see also Catlos, *Latin Christendom*, 146-8.
[185] Twelfth-century popes continued to consult the decretals of their predecessors, while Roman law became a major source of inspiration for twelfth-century Christian jurists. Popes and jurists both looked to Gregory I for inspiration on laws pertaining to Jews. Abulafia, *Christian-Jewish Relations*, 21, 26, 140, 204-5; Anders

law to govern Jews and Muslims in the Levant is not a crucial point. What is more important is proving that the Franks treated minorities according to an established legal and theoretical framework, and that Frankish and Muslim rulers had or developed comparable frameworks that allowed them to use mutually understandable gestures in their interactions.[186]

Indeed, William of Tyre provides us with a one-sided answer to this question; he (as a member of the Frankish elite) shows us that the Franks could be expected to behave a certain way toward Muslim minorities, a way that corresponded roughly to expectations that could be had for a Muslim ruler. We need additional evidence to prove that awareness of such expectations were communicable across boundaries, linguistic and confessional. In the next section below, I first survey additional evidence for Frankish applications of an administrative system coterminous, or perhaps identical, to the Dhimma. I then draw on one Arabic source that contains rare and subtle suggestions of gestural communication between Frankish and Muslim rulers that inevitably implicated minorities. In the chapters that follow, I examine more evidence for symbolic gestures exchanged through the shared minority discourse.

Winroth, *The Making of Gratian's Decretum* (Cambridge: Cambridge University Press, 2000), pp. 146ff, 153, 194-5. Jessie Sherwood, "Interpretation, Negotiation, and Adaptation: Converting the Jews in Gerhard of Mainz's *Collectio*", in *Jews in Early Christian Law: Byzantium and the Latin West, 6th–11th Centuries*, eds. John Tolan, Nicholas de Lange, Laurence Foschia, Capucine Nemo-Pekelman [Religion and Law in Medieval Christian and Muslim Societies 2] (Turnhout: Brepols, 2014), pp. 122-3.

[186] The partition truces examined in Chapter 6 exemplify the shift towards compatibility of minority frameworks. See also Georges Jehel, « Aspects des relations interculturelles dans l'espace méditerranéen au Moyen Age », in *La vie del Mediterraneo: Idee, uomini, oggetti (seculi xi-xvi), Genova, 19-20 aprile 1994*, ed. Gabriella Airaldi (Genoa: Edizioni culturali internazionali Genova, 1997), pp. 23-4.

vii. A Shared Frankish-Muslim Framework for Minority Relations?

As I hope will be clear from the above, the Franks adhered to a certain conceptualization of world order shaped by Roman law in establishing a system of administration in the East.[187] In specific instances, they created spaces (whilst also appropriating spaces) for minorities to whom they granted a protected status analogous to *dhimmī* status in Islamic law. For example, when the crusaders and their Genoese allies captured Jubayl in 502/1109, they granted the Muslims of Jubayl protection either to leave or to remain, provided that they paid the poll tax:

> It was stipulated that those who desired to leave be given an opportunity to do so unhindered, with their wives and children, but that those who did not wish to abandon their homes in the city be permitted to remain under favorable conditions. The terms asked were granted, and they thereupon surrendered the place to the two commanders. One of these, Hugh Embriacus, received the city for a definite time on consideration of a fixed annual payment to the treasury of the Genoese.[188]

Of course, this conquest occurred several years after the massacres in Maʿarrat al-Nuʿmān and Jerusalem and it is clear that the fervour of the first crusaders was no longer a factor that could forestall negotiations. Instead, negotiation came to play a greater role in the processes of conquest and consolidation.

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[187] See also Nader, "Legal Institutions", 265 for Roman legal influences on the Frankish judiciary.

[188] *…significantes quod si volentibus egredi liberum cum uxoribus et liberis vellent dare exitum, nolentibus autem sua deserere domicilia in urbe liceret bonis conditionibus immorari, parati erant reseratis aditibus eos tanquam dominos admittere. Quibus conditionibus iuxta vota eorum admissis, urbem predictis duobus tradiderunt viris, quorum alter, Hugo videlicet Ebriacus, sub annua certi census prestatione fisco Ianuensium inferenda usque ad certum tempus recepit…* William of Tyre, *Chronicon*, 11.9 (I: 508-9); trans. Babcock, Krey, *Deeds*, I: 477; see also Ibn al-Qalānisī, *Tārīkh Dimashq*, 231; trans. Gibb, *Damascus Chronicle*, 60; Ibn al-Athīr, *Al-Kāmil*, X: 476; trans. Richards, *Chronicle*, I: 149; W. B. Stevenson, *The Crusaders in the East: A Brief History of the Wars of Islam with the Latins in Syria during the Twelfth and Thirteenth Centuries* (Cambridge: Cambridge University Press, 1907), p. 55.

In the above excerpt, William is unclear about the "favourable conditions" offered to the inhabitants and whether they paid a poll tax. We may conjecture that the Muslims were allowed favourable terms such as legal autonomy, access to places of worship, and permission to publicly recite the Qurʾān, all in exchange for the poll tax, which would not be out of the ordinary. It appears that similar capitulation terms were offered following the fall of Tripoli in the same year:

> Messengers were sent to the king and the count with proposals of surrender under the following conditions: those who wished should be allowed to depart freely and without hindrance and to transfer their households and goods whithersoever they desired; but those who did not wish to go should be permitted to remain in their houses in peace and safety and to retain their possessions, under a fixed annual payment to the count.[189]

Both sets of terms suggest that the non-Christian inhabitants of Jubayl and Tripoli could continue to live as non-Christians and that the "annual payment" was coterminous with the *jizya*, if not the very same poll tax reversed. Being able to practise Islam and worship publicly are not mentioned by William in either instance but we know that the Muslims of Jabala (Ln. Gabulum) had their own *qāḍī* and that Muslims in Acre, Nablus, and Tyre maintained mosques under the Franks.[190] The Jews of Nablus were also allowed to build

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[189] *Missis ergo legationibus tam ad dominum regem quam ad dominum comitem, sub conditione spondent eis urbem se resignaturos, si egredi volentibus libere et sine difficultate liceret et familias suas cum omni suppellectile ad loca optata transferre possent, nolentibus autem exire si sub certa pensione, domino comiti annuatim persolvenda...* William of Tyre, *Chronicon*, 11.10 (I: 510); trans. Babcock, Krey, *Deeds*, I: 478. On the siege and fall of the town, see Ibn al-Qalānisī, *Tārīkh Dimashq*, 261-2; trans. Gibb, *Damascus Chronicle*, 88-9; Ibn al-Athīr, *Al-Kāmil*, X: 475; trans. Richards, *Chronicle*, I: 148; Abū al-Muẓaffar, *Mirʾāt al-zamān*, 6, line 16, 7, line 1, 8, lines 20-1, 17, line 4; trans. McGuckin de Slane, *Extraits*, 524, 527, 536-7; Abū al-Maḥāsin Jamāl al-Dīn Yūsuf ibn Taghrī Birdī, *Al-Nujūm al-zāhira fī mulūk Miṣr wa-al-Qāhira*, eds. Muḥammad Ḥusayn Shams al-Dīn et al., 16 Vols. (Cairo: various publishers, 1929-1972), V: 168, 177, 178, 186; trans. *Extraits du Noujoùm ez-zahireh* in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'acadèmie des inscriptions et belles-lettres, Vol. 3 (Paris: Imprimerie nationale, 1884), pp. 487, 488, 489-90, 495 (the version in the *RHC* is truncated).

[190] On Jabala, see Abū al-Maḥāsin, *Al-Nawādir*, 89, trans. Richards, *Excellent History*, 83; Cahen, *Syrie du nord*, 428, 462; Kedar, "Subjected Muslims", 141; Mayer, "Latin Kingdom", 185; see also Riley-Smith, "Government", 128. For Muslims in Jubayl (and Beirut and Sidon), see: Al-ʿImād al-Kātib, cited in Abū Shāma Shihāb al-Dīn al-

and maintain a new synagogue in the 520s/1130s.[191] And Ibn Jubayr's account corroborates the hypothesis that the Franks imposed a poll tax on individuals, as the *jizya* was customarily collected.[192]

We now turn to the most detailed Arabic account known to date on the "infidel *dhimma*", which also shows how the Franks could communicate with their Muslim subjects in situations of political tension through the medium of gesture.[193] *Al-Ḥikāyāt al-muqtabasa fī karāmāt mashāyikh al-arḍ al-muqaddasa* (*The Cited Tales of the Wondrous Doings of the Shaykhs of the Holy Land*) was composed in the seventh/thirteenth century by Ḍiyāʾ al-Dīn Abū ʿAbd Allāh Muḥammad ibn ʿAbd al-Wāḥid al-Maqdisī (569-643/1173-1245), the grandson of Aḥmad ibn Qudāma, one of the many Muslims who had migrated from the Nablus region to Damascus. Ḍiyāʾ al-Dīn's source recounts how the Frankish lord overseeing the village of his grandfather

> planned to kill Aḥmad b. Qudama. […] The shaykh [Aḥmad] came to a decision to proceed to Damascus and he went there. […] Another person said that of those who

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Maqdisī, *Kitāb al-rawḍatayn fī akhbār al-dawlatayn al-Nūrīya wa-al-Ṣalāḥīya*, ed. Ibrahim al-Zaybaq, 3 Vols. (Beirut: Muʾassasat al-Risāla, 1997), III: 323; trans. A.-C. Barbier de Meynard, *Le livre des deux jardins. Histoire des deux règnes, celui de Nour ed-Din et celui de Salah ed-Din*, in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'acadèmie des inscriptions et belles-lettres, Vols. 4-5 (Paris: Imprimerie nationale, 1898), p. 309; Hillenbrand, *Islamic Perspectives*, 359; Prawer, "Social Classes", 61. For mosques in the Latin Kingdom of Jerusalem, see Ibn Jubayr, *Riḥla*, 276, 279, trans. Broadhurst, *Travels*, 318, 321; Abū ʿAbd Allāh Muhammad Diyāʾ al-Dīn ibn ʿAbd al-Wāḥid al-Maqdisī, *Al-Ḥikāyāt al-muqtabasa fī karāmāt mashāyikh al-arḍ al-muqaddasa*, ed. and trans. Daniella Talmon-Heller, "*The Cited Tales of the Wondrous Doings of the Shaykhs of the Holy Land* by Diyā' al-Dīn Abū ʿAbd Allāh Muhammad ibn ʿAbd al-Wāḥid al-Maqdisī (569/1173-643/1245): Text, Translation and Commentary", *Crusades* 1 (2002): s.v. ʿAbd Allāh b. Aḥmad, f. 94a (pp. 121-2), f. 95b (p. 123), trans. Talmon-Heller, 138, 142, nn. 90, 111; Hillenbrand, *Islamic Perspectives*, 379; Benjamin Z. Kedar, "Convergences of Oriental Christian, Muslim, and Frankish Worshippers: The Case of Saydnaya", in *De Sion exibit lex et verbum domini de Hierusalem: Essays on Medieval Law, Liturgy and Literature in Honour of Ammon Linder*, ed. Yitzhak Hen (Turnhout: Brepols, 2001), p. 62; reprinted in *The Crusades and the Military Orders: Expanding the Frontiers of Medieval Latin Christianity*; Riley-Smith, "Government", 123, 128.

[191] Pringle, *Corpus*, II: 114; Riley-Smith, "Government and the Indigenous", 128.

[192] Ibn Jubayr, *Riḥla*, 274; trans. Broadhurst, *Travels*, 316.

[193] If found, Ḥamdān ibn ʿAbd al-Raḥīm al-Athāribī's *Sīrat al-Ifranj al-khārijīn ilā bilād al-Shām fī hādhihi sīnī* (*An Account of the Franks Who Went to Syria in Our Time*) would doubtless provide extensive details on Frankish administration.

> were under the subordination of the Franks, shaykh Aḥmad was the first to emigrate both out of fear for his life and because he was unable to practice his *dīn*.[194]

The circumstances of the Muslims, Ḍiyāʾ al-Dīn suggests, had been better prior to the mounting tensions between the Frankish lord and Aḥmad. Perhaps the Franks had granted the local Muslims terms allowing them to continue practising Islam in public when they first settled in Nablus and assumed control over its vicinity. The threat of violence was the likely limitation on Aḥmad's ability to practice his *dīn* (openly), which was especially significant in the context of Zengid *jihād* propaganda.[195] Expressions of faith, in turn, were likely to become even more charged in a period of heightened tension. A second passage in the text appears to confirm a worsening of the terms by which the Muslims of the Nablus region lived under Frankish rule. Ḍiyāʾ al-Dīn's "interviewee" recounts how

> the Muslims fell under the domination of the Franks in the region of Bayt al-Maqdis and its provinces [in 492-3/1099], working the land for them. They [the Franks] used to punish them, jail them and levy a fee which resembles *jizya*. The greatest of the Franks was Ahūmān b. Bārizān – may God curse him. Under his rule were Jammāʿīl the village of our teachers, Marda, Yāsūf and other villages. It so happened that whereas the infidels used to collect one dinar from everyone under their control, he – may God curse him – levied four dinars from each of them. He used to mutilate their legs. Amongst the infidels there existed no one more evil nor greater in violence than him - may God put a shame on him.[196]

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[194] *…'fa-taḥaddatha fī qatlihi.' Qāla: 'fa-aʿlama al-shaykh rajul min ʿamālihi yuqāla lahu Ibn Tasīr.' Qāla, 'fa-ʿazama al-shaykh ʿalā-al-maḍ<ā> ilā Dimashq fa-rāḥa ilayhā.' Wa-kāna Ibn Tasīr kātib Bārzān wa-wazīrahu wa-kāna yaʿtaqid fī mashāyikh al-Muslimīn wa-yaḥsan ilayhim ḥaddathanī bi-dhālika Muḥammad bin Abī ʿAṭṭāf. Wa-qāla ghayruhu, 'Wa-kāna al-shaykh Aḥmad awwal min hājir min taḥt aydī al-Firanj li-khawfihi ʿalā nafsihi wa-ʿajzihi ʿan aẓhār dīnihi.* Shams al-Dīn Muḥammad ibn ʿAlī ibn Aḥmad ibn Ṭūlūn al-Ṣāliḥ al-Dimashqī al-Ḥanafī, *Al-Qalāʾid al-jawharīya fī tārīkh al-Ṣāliḥīya*, ed. Muḥammad Aḥmad Duhmān, 2 Vols. (Damascus: Maktab al-Dirāsat al-Islāmāya fī Dimashq, 1949-1956), pp. 27-8; trans. Drory, "Nablus Region", 95-6.

[195] Drory, "Nablus Region", 97-8.

[196] *Wa-samaʿtu ghayr wāḥid min aṣḥābinā yaqūl anna al-Muslimīn ṣārū taḥta aydī al-Firanj bi-arḍ Bayt al-Maqdis wa-nawāḥihā yaʿmilūn li-hum al-arḍ wa-kānū yu'dhūnahum wa-yaḥbisūnahum wa-yakhudhūn minhum shay'an ka-al-jizya. Wa-kāna akthar al-Firanj Ahūman ibn Barzān laʿanahu Allāh wa-kānat taḥta yadihi Jammāʿīl qarya aṣḥābinā wa-Mardā wa-Yāsūf wa-ghayr dhālik wa-kāna idhā akhadha al-Kuffār min kul rajul mimman taḥta yadihi dīnāran akhadha huwa laʿanahu Allāh min kul wāḥid minhum arbaʿa dinānīr wa-kāna yaqṭaʿ arjulahum wa-lam yakun fī al-Kuffār aʿtā minhu wa-lā akthār tajabburan, akhzāhu Allāh.* Ibn Ṭūlūn, *Al-Qalāʾid*, 26-7; trans. Drory, "Nablus Region", 95.

This passage, though slightly muddled, is crucial. The source hints that it was a custom (*wa-kāna idhā*) for the Franks to collect one *dīnār* per person, like the *jizya*, but that one Frankish ruler at one point decided to increase the levy exponentially. This passage reveals a normative practice of collecting one *dīnār* per individual, resembling the Dhimma at least in one respect. It also reveals the deviation from the norm as practised by the Franks, suggesting that the Muslims south of Nablus and the local Franks mutually recognized an administrative custom.

In the preceding, I did not intend to argue that the Franks of the Latin Kingdom, the Principalities of Antioch and Cilician Armenia, and the Country of Tripoli all applied the same administrative or legal practices when it came to ruling over confessional minorities. Variations surely existed, but the bottom-line is that the Franks had a conceptual framework for ruling minorities with its principles, whether informed by Roman law, Islamic law, or Norman custom, and that they therefore had an awareness of the kind of action that could compromise this framework. The implication is that once the first crusaders established this framework and once it had come to define Frankish administration, any compromise could be understood by Christian as well as Muslim audiences. The Frankish lord of the Nablus region clearly and publicly strayed from the expected norm as a result of any reason imaginable, including short-term economic interest. Arguably, however, he overstepped his bounds in order to send a message to either the Muslims of the region or to their co-religionists beyond Frankish domains.[197] Therefore, the oppression of the Frankish lord can be interpreted as a threat aimed at

[197] Elsewhere, I have argued that mounting tensions between Franks and Muslims was one among many factors that motivated the emigration of the Qudāma clan and that changing attitudes towards the permissibility of Muslim residence under non-Muslim rule also needs to be taken into account.

intimidating the local Muslims and coercing them into absolute submission. But it can also be interpreted as an insult aimed most probably at the Zengids, who failed to protect their Nāblusī co-religionists (see Chapter 5).

viii. Conclusions

In this chapter, I explored medieval Christian and Islamic legal and theoretical frameworks that structured, or were designed to structure, relations between rulers and confessional minorities. I also surveyed the evidence for Frankish frameworks of ruler-minority relations in the East. Determining that such frameworks existed, whether transposed or adapted by the Franks, allows us to explore the expressive weight of any infringements on interfaith relations. Throughout this thesis, I argue that every breach was a symbolic act, not just a political one; the Franks were aware that they were breaching a norm, an expectation of how rulers were to behave toward minorities, when they attacked Muslims living under capitulation terms or travelling under safe-passage. Moreover, the Franks perceived in their actions opportunities to influence or sway neighbouring Muslim rulers since they (the Franks) were aware that Muslim rulers had a stake in the conditions of Muslims under Christian rule. The next chapter focuses on how rulers, both Christian and Muslim, came to understand their role as protectors and patrons over larger faith communities that included minorities living beyond their domains.

Chapter 3: The Formation of a Christian-Muslim Shared Minority Discourse in the Medieval Mediterranean (3rd/9th – 5th/11th Century)

I. Introduction

This chapter begins with the apogee of several major political entities of the medieval Mediterranean—Near East region that engaged in long-distance diplomacy in the third/ninth and fourth/tenth centuries. These two centuries can be characterized by the expansion and confluence of Christian and Islamic empires at various and sometimes overlapping points in time: the Greek Byzantine Empire; the Latin Carolingian Empire; the ʿAbbāsid Caliphate; the Ismāʿīlī Fāṭimid Caliphate; and the Western Umayyad Caliphate. I write "various and sometimes overlapping points" because not all of these empires reached their apex of territorial expansion and influence, or "soft power", at exactly the same time nor did they exist for the same duration. The short-lived Carolingian Empire, for example, fragmented after the death of Charlemagne in 814 AD (= 198 AH) whereas ʿAbd al-Raḥmān III (300-350/912-961), the Umayyad ruler of Córdoba, only declared a caliphate in 317/929.[198] My framework for this section requires some chronological flexibility since my analysis relies on comparing how all of these empires subsumed smaller entities and therefore operated on a larger and shared political plane. In other words, extensive territorial expansion and material growth brought some of these five empires into close contact.

[198] Maribel Fierro, *ʿAbd al-Rahmān III: The First Cordoban Caliph* (Oxford: Oneworld, 2005), p. 53.

Moreover, unprecedented levels of courtly influence and wealth both necessitated and fuelled more and more extravagant expressions of authority.[199] The ruler's repertoire of courtly symbols and rituals—media for enunciating power and honour—thus expanded and formalized in the competition for "world" domination.[200] As Christian and Muslim rulers realized their ambitions through territorial expansion, they also extended their authority over larger populations of co-religionists and non-co-religionists, while observing their rivals doing the same. Through a gradual process (see below), these rulers came to extend their authority even to co-religionists outside their territorial and confessional boundaries—the "extraterritorial minorities" defined in Chapter 2, section ii.[201] The projection of authority by rulers also found expression in diplomatic conventions, whereby

[199] As demonstrated by Oleg Grabar and Garth Fowden, the Umayyads borrowed heavily from the Byzantine and Persian traditions in monumental construction: Garth Fowden, *Quṣayr 'Amra: Art and the Umayyad Elite in Late Antique Syria* (Berkeley: University of California Press, 2004), esp. pp. 322-3 and Oleg Grabar, "The Umayyad Dome of the Rock in Jerusalem", in *Ars Orientalis* 3 (1959), esp. p. 48, reprinted in *Jerusalem, Volume IV: Constructing the Study of Islamic Art* (Hampshire: Ashgate Publishing Limited, 2005). With the chronicle of Ioannes Skylitzes we come full circle: the emperor Theophilus (829-842) is encouraged by a returning envoy to build a palace in the ʿAbbāsid style. Ioannes Skylitzes, *Synopsis historiarum*, ed. and trans. John Wortley, *A Synopsis of Byzantine History, 811-1057* (Cambridge: Cambridge University Press, 2010), p. 60. See also Garth Fowden, *Empire to Commonwealth: Consequences of Monotheism in Late Antiquity* (Princeton: Princeton University Press, 1993), pp. 165-8. Charlemagne also participated in this global architectural exchange; his palatial complex at Aachen was likely inspired by reports describing the Dome of the Rock. See Gustav Kühnel, „Aachen, Byzanz und die frühislamische Architektur in Heiligen Land", in *Studien zur byzantinischen Kunstgeschichte: Festschrift für Horst Hallensleben zum 65 Geburtstag*, eds. Birgitt Borkopp, Barbara Schellewald, Lioba Theis, Horst Hallensleben (Amsterdam: Verlag Adolf M. Hakkert, 1995), p. 49.

[200] Aziz al-Azmeh, *Muslim Kingship: Power and the Sacred in Muslim, Christian, and Pagan Polities* (London: I. B. Tauris, 1997), pp. xii, xvi, 5-6, 10 for the notion of a shared repertoire as a template for universal rule and pp. 79, 163 for ʿAbbāsid continuation and elaboration.

[201] As I discovered recently, I have actually borrowed this term from studies in international law and politics: Ben Halpern, "Jewish Nationalism: Self-Determination as a Human Right", in *Essays on Human Rights: Contemporary Issues and Jewish Perspectives*, ed. David Sidorsky (Philadelphia: Jewish Publication Society of America, 1979), p. 326; Vasyl Markus, "National Minorities in East-Central Europe After 1945: Concepts, Models and Reassessments", in *Public Law and Comparative Politics: Trabajos en homenaje a Ferran Valls i Taberner* [Estudios interdisciplinares en homenaje a Ferran Valls i Taberner con ocasión del centenario de su nacimiento 17], ed. Manuel J. Peláez (Barcelona: Málaga Cátedra de Historia del Derecho y de las Instituciones 1991), p. 4881. See also Benjamin Pinkus, "Soviet Government Policy Toward the Exterritorial National Minorities: Comparison Between the Jews and the Germans", in *Jewish Culture and Identity in the Soviet Union*, eds. Yaacov Ro'i, Avi Beker (New York: New York University Press, 1991), p. 292 for the term 'exterritorial national minorities' meaning here "minorities which have lost their national attributes" according to Soviet authorities.

courts negotiated for the welfare of fellow co-religionists in foreign lands according to the terminology of a shared language of rituals and formalities (see Chapter 7).

I am using the term 'rulers' in a broad sense to refer to any heads of state (to borrow from modern terminology), exercising symbolic authority and/or effective power. The court is thus the broader expression of this category, which may include ministers, regents, and other court officials—anyone exercising influence over "foreign affairs". The patriarch Nicolas Mysticus, for example, managed relations with the ʿAbbāsids for the Byzantine court between 300-1/913 and 301-2/914.[202] I apply this concept of rulers, or ruling elites, in recognition of the fact that many caliphs, emperors, and kings did not successfully combine authority and power in one person, though they may have benefitted from vestiges of stable government left by their more formidable and successful predecessors. For example, the caliph al-Muʿtaḍid (279-289/892-902) expanded and consolidated ʿAbbāsid domains, whereas his successors, al-Muktafī (289-295/902-908) and al-Muqtadir (295-320/908-932), were criticized by contemporaries and later chroniclers for idleness, though the latter attempted to curb raids carried out by the Qaramiṭa.[203] Yet the Byzantines dispatched envoys to these ʿAbbāsid caliphs all the same, and they ostensibly negotiated over such important and potentially divisive matters as the negotiation of truces or the ransoming of prisoners. The consolidation and stability left behind by powerful and authoritative rulers meant that empires could function effectively under capable court

[202] Drocourt, "Overview", 32.
[203] See for instance, Maaike van Berkel, "The Young Caliph and his Wicked Advisors: Women and Power Politics under Caliph Al-Muqtadir (r. 295–320/908–932)", *Al-Masāq: Journal of the Medieval Mediterranean* 19.1 (2007): 3-15; Michael Bonner, "The Waning of Empire, 861-945", in *The New Cambridge History of Islam Volume 4. Islamic Cultures and Societies to the End of the Eighteenth Century*, ed. Chase F. Robinson (Cambridge: Cambridge University Press, 2010), p. 351.

officials for a time while their symbolic heads of state maintained an air of authority within and across boundaries.

In this chapter, I cover both the scope of diplomatic activity between these early medieval empires and the content of diplomatic overtures insofar as they concern the conditions of confessional minorities. The following section is a survey of the surviving evidence for embassies and negotiations, focusing first on ʿAbbāsid-Byzantine and ʿAbbāsid-Carolingian relations and then on Byzantine-Fāṭimid relations. I also consider briefly the diplomatic encounters between the Byzantines and the Carolingian and Western Umayyad polities, although I defer to more thorough and specialized discussion of such relations.[204] In section iii, I focus on two aspects of diplomatic relations in three case-studies: negotiations over minorities' access to prayer spaces and the welfare of captives and prisoners. These case-studies aid in providing historical context and therefore an analytical framework for the post-crusade developments examined in Chapters 3-8.

II. Diplomatic Lines of Contact between the "Five Empires"

The rulers of the five empires shared a universalist vision and projected their authority beyond the territorial bounds of their domains. Their effective projection of authority and successful mustering of military power characterizes rulership in this period,

[204] Krijna N. Ciggaar, *Western Travellers to Constantinople. The West and Byzantium, 962-1204: Cultural and Political Relations* [The Medieval Mediterranean: Peoples, Economies and Culture, 400–1453, 10] (Leiden: Brill, 1996), pp. 212-5; S. M. Stern, "A Letter of the Byzantine Emperor to the Court of the Spanish Umayyad caliph al-Hakim", *Al-Andalus* 26 (1961): 37-42, reprinted in *Medieval Arabic and Hebrew Thought* (London, 1983); Aleksandr A. Vasiliev, *Byzance et les Arabes*, trans. Henri Grégoire, Marius Canard, 4 Vols. (Bruxelles: Institut de philologie et d'histoire orientales, 1935-1968), I: 185-7.

lending it an aura of absolutism.[205] The rulers of these five empires also exchanged lavish gifts and sent embassies of clerics and court officials (who carried with them knowledge and expertise). Sending such an embassy was in itself a costly, risky, and lengthy enterprise.[206] In this regard, the number of Christian and Muslim embassies that traversed the Mediterranean in this period is astounding, and countless additional journeys may remain lost to the historical record.[207]

Despite possible accidents in the survival of sources, the number of diplomatic encounters recorded in the chronicles, many of which survive intact, does justify drawing conclusions on general trends. And it appears that chroniclers writing in Arabic, Greek, and Latin consistently recorded episodes of diplomatic contact between Christian and Muslim rulers, even cursory ones. But one must be wary of the possibility that chroniclers sometimes distorted records of embassies, creating syncopated, anecdotal, and sometimes apocryphal, accounts of diplomatic encounters.[208] Finally, one must also approach accounts of embassies with an awareness of the chronicler's access to sources, documentary or oral.

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[205] Although the concept of an "Age of Absolutism" originates with studies of early modern European monarchy, the concept is applicable to this period as well. See Hodgson, *Venture of Islam*, 280-4, 473-4 with reference to his discussion on the early ʿAbbāsid caliphate from 750 to 945; Al-Azmeh, *Kingship*, ch. 7 for a more detailed assessment of absolutist formulations at the height of ʿAbbāsid power; Fowden, *Quṣayr ʿAmra*, ch. 4 for Umayyad precedents; and Kennedy, *Age of the Caliphates*, 72 on models of rule for Muʿāwiya specifically. For the early modern conceptualization, see Max Beloff, *The Age of Absolutism, 1660-1815* (London: Hutchinson University Library, 1954).

[206] See Nicolas Drocourt, « Quelques aspects du rôle des ambassadeurs dans les transferts culturels entre Byzance et ses voisins (VIIe–XIIe siècle) », *Acteurs des transferts culturels en Méditerranée médiévale*, eds. Rania Abdellatif, Yassir Benhima, Daniel König, Elisabeth Ruchaud (Munich: Oldenbourg Verlag, 2012), pp. 31-4, 36.

[207] For a comprehensive study of ʿAbbāsid-Byzantine diplomatic relations, see Athina Kolia-Dermitzaki, "Some Remarks on the Fate of Prisoners of War in Byzantium (9th-10th Centuries)", in *La liberazione dei 'captivi' tra cristianità e Islam : oltre la Crociata e il Ĝihād : tolleranza e servizio umanitario : atti del Congresso interdisciplinare di studi storici (Roma, 16-19 settembre 1998) : organizzato per l'VIII centenario dell'approvazione della regola dei Trinitari da parte del Papa Innocenzo III il 17 dicembre 1198/15 safar, 595 H*, ed. Giulio Cipollone (Vatican: Archivio segreto vaticano, 2000), pp. 583-620.

[208] Maria Vaiou, *Diplomacy in the Early Islamic World: A Tenth-Century Treatise on Arab-Byzantine Relations* (London: I. B. Tauris & Co. Ltd., 2015), p. 11 and n. 659. For an example of an embellished account of an envoy's visit, see Skylitzes, *Synopsis*, trans. Wortley, 59-60.

I omit economic agreements between individual Christian city-states and Islamic polities. Amalfi, Genoa, Pisa, and Venice traded with the Fāṭimids and their Mediterranean rivals.[209] Sometimes Italian merchants served on diplomatic missions on behalf of their cities, and Jewish merchants also acted as intermediaries between Christian and Islamic polities.[210] But all these cases of mercantile diplomacy point to the pursuit of specific local interests by "small" parties. The Venetians negotiated with the Fāṭimids for Venetian privileges in Alexandria, and not for the privileges of all Christians in Dār al-Islām, prior to the Ottoman period. My observations in the following section apply rather to shifts in diplomatic relations between sovereigns claiming representation over larger confessional groups, or more succinctly, between emperors and caliphs.

This survey begins with a series of diplomatic encounters that took place over a span of several years—testimony to the limitations of medieval communication—from 180-1/797 to 185-6/802 between Charlemagne (d. 814), the eponymous founder of the Carolingian Dynasty and first Holy Roman Emperor, and the ʿAbbāsid caliph Hārūn al-Rashīd (170-193/786-809), who is often associated with the "Golden Age" of Islam. It is no coincidence that this short window of diplomatic contact existed when it did; the early third/ninth century marked the height of both empires in terms of power and economic stability. In fact, it was a rare concordance of two particularly powerful political entities

[209] Michael McCormick, *Origins of the European Economy: Communications and Commerce A.D. 300-900* (Cambridge: Cambridge University Press, 2001), pp. 238-9; Goldberg, *Geniza Merchants*; Romney David Smith, "Calamity and Transition: Re-Imagining Italian Trade in the Eleventh-Century Mediterranean", *Past & Present* 228 (2015): 15-56; idem, "Across an Open Sea: Mediterranean Networks and Italian Trade in an Era of Calamity", Doctoral Dissertation (University of Toronto, 2016); see also M. E. Martin, "The Venetian-Seljuk Treaty of 1220", *English Historical Review* 97 (1980): 325.

[210] Alauddin Samarrai, "Medieval Commerce and Diplomacy: Islam and Europe, A.D. 850-1300", *Canadian Journal of History/Annales canadiennes d'histoire* 15:1 (1980): 21; see also Shelomo D. Goitein, *Letters of Medieval Jewish Traders. Translated from the Arabic with Introductions and Notes by S. D. Goitein* (Princeton: Princeton University Press, 1973).

bypassing a third, the Byzantine Empire, in an attempt to establish contact, and possibly a strategic understanding. A subsequent decline in the number of embassies points to the weakening of both empires; I have found evidence for only two diplomatic encounters between the ʿAbbāsids and the Carolingians after the reigns of Charlemagne and Hārūn al-Rashīd, which took place in 215-6/831 and 256/869-70.[211]

Map 1. The dotted line represents the diplomatic contact established by Charlemagne and Hārūn al-Rashīd in the early third/ninth century. Charlemagne's second embassy to the ʿAbbāsids departed in 802 (185-6 AH).[212]

The Byzantine Empire then underwent a revival under the Macedonian House (867–1056) while the ʿAbbāsids benefitted from the consolidation and centralization of al-Muʿtaḍid.[213] Of a total of 79 known diplomatic encounters between the ʿAbbāsid caliphate and the Byzantine empire for the period 133-446/750-1054, 72 date to the period 133-331/750-943 (see Appendix E). Within this timeframe, we can pinpoint several clusters of

[211] Einar Joranson, "The Alleged Frankish Protectorate in Palestine", *The American Historical Review* 32.2 (1927): 257; Ciggaar, *Western Travellers*, 212-5; Drocourt, « Quelques aspects », 36, 43.
[212] Maps generated in Quantum GIS with bathymetry layers from Natural Earth: naturalearthdata.com.
[213] Stephen W. Reinert, "The Muslim Presence in Constantinople, 9th-15th Centuries: Some Preliminary Observations", in *Studies on the Internal Diaspora of the Byzantine Empire*, eds. Helene Ahrweiler, Angeliki E. Laiou (Washington, D.C.: Dumbarton Oaks, 1998), pp. 126-7.

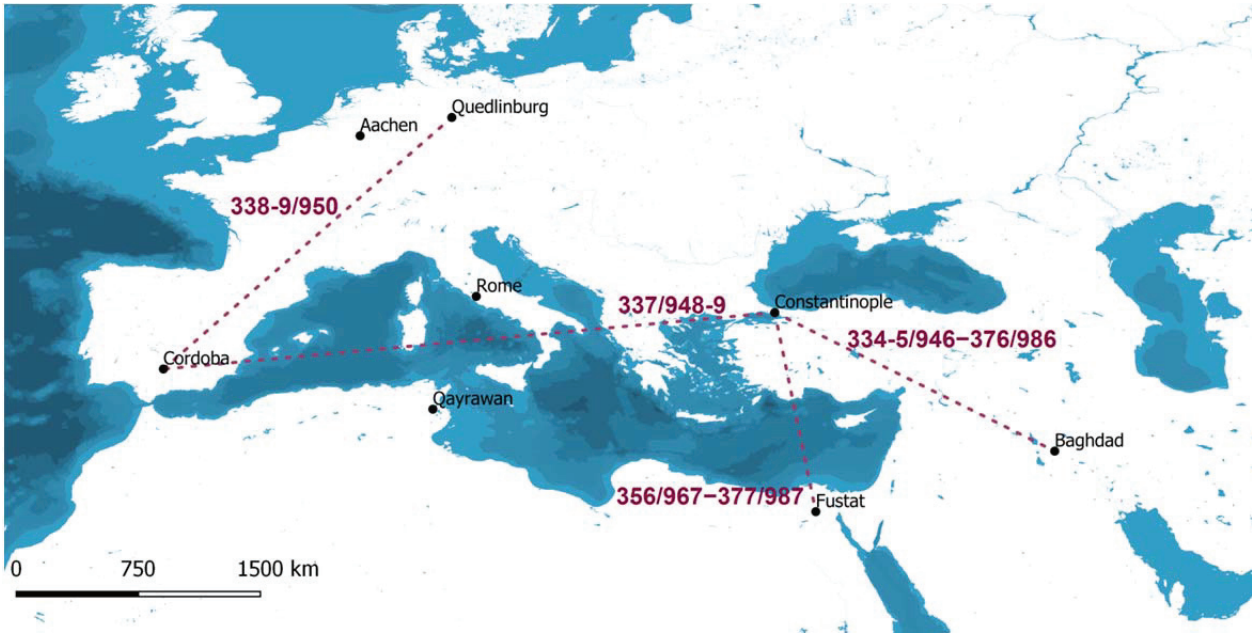
embassies exchanged by individual caliphs and Christian rulers. For example, we can discern a period of intense diplomatic activity during the reigns of the caliphs al-Muktafī (295-320/902-908) and al-Muqtadir (295-320/908-932), which overlapped with the regency of Zoe Karbonopsina (914-919) and the reigns of three emperors: Leo VI "the Wise" (886-912), Alexander III (912-913), and Constantine VII Porphyrogennetos (d. 959). Thereafter the frequency of embassies drops significantly; thus far, I have found references to only three ʿAbbāsid-Byzantine diplomatic encounters for the period 335-465/946-1072, even though both political entities continued to exist).[214]

Byzantine-Fāṭimid and Byzantine-Western Umayyad negotiations predominate in the subsequent period as ʿAbbāsid power transferred gradually to the hands of Arab, Daylamite, and Turkic warlords, while the authority of the ʿAbbāsid caliphate was compromised by Umayyad and Fāṭimid rulers, who each claimed the title of Amīr al-Muʾminīn (Commander of the Faithful) and assumed authority over the Muslims of the western and eastern Mediterranean respectively.[215] ʿAbbāsid influence was thus severely curtailed by internal strife and external pressures to the extent that far-reaching diplomatic activity became extraneous and impractical. The Fāṭimid and Western Umayyad caliphs not only assumed the prerogative of representing the Muslims of Dār al-Islām but also engaged in costly long-distance diplomacy and gift-exchange with the resurgent Holy Roman and Byzantine empires. For example, ʿAbd al-Raḥmān III, the first Umayyad caliph of Córdoba, entered into negotiations with King Otto I "the Great" (936-973) in the mid-fourth/tenth

[214] Vaiou, *Tenth-Century Treatise*, n. 8 (pp. 112-6). Maria Vaiou has organized the encounters by source, which means that many encounters are referred to multiple times in the endnote. I have supplemented Vaiou's list with several additional sources.

[215] The Fāṭimids claimed the additional title of Imām, thereby proclaiming their leadership of the Muslim community (*umma*).

century.[216] And the Byzantine emperor Constantine VII dispatched a manuscript of "*Kitāb Dīsqūrīdas*" (probably a version of Dioscorides' *Peri hulēs iatrikēs*; Ln. *De materia medica*), to ʿAbd al-Raḥmān in c. 337/948 in response to his request.[217]



Map 2. The indigo lines represent localized diplomatic lines of communication following the fragmentation of the Carolingian empire, the disintegration of ʿAbbāsid authority, and the emergence of the Fāṭimid caliphate.

There were also negotiations between the relatively short-lived dynasties of the Ḥamdānids and Byzantines between 334-5/946 and 365/976 and between the Būyids and the Byzantines between 334-5/946 and 376/986.[218] The Ḥamdānids were a dynasty of

[216] Otto also sent the caliph an embassy headed by Jean de Gorze to obtain Arabic books. Abdurrahman Ali El-Hajji, *Andalusian Diplomatic Relations with Western Europe during the Umayyad Period (A.H. 138-366/A.D. 755-976)* (Beirut: Dār Al-Irshad, 1970), pp. 211ff; Benjamin Z. Kedar, *Crusade and Mission: European Approaches toward the Muslims* (Princeton: Princeton University Press, 1984), pp. 10, 27, 38; Jessica A. Coope, *The Martyrs of Córdoba: Community and Family Conflict in an Age of Mass Conversion* (Lincoln: University of Nebraska Press, 1995), pp. 67-8; Drocourt, "Overview", 39.

[217] Ibn Juljul, quoted in Ibn Abī Uṣaybiʿa, *'Uyūn al-anbā' fī ṭabaqāt al-anbiyā'*, ed. August Müller (Cairo: Königsberg, 1884), II: 47-8; Fierro, *'Abd al-Rahman*, 73; Vaiou, *Tenth-Century Treatise*, 23; D. Fairchild Ruggles, *Islamic Gardens and Landscapes* (Philadelphia: University of Pennsylvania Press, 2008), p. 217; Drocourt, "Overview", 67-8.

[218] For Byzantine-Ḥamdānid negotiations, see: Muḥammad ibn Isḥāq ibn al-Nadīm, *Fihrist*, ed. and trans. Bayard Dodge, *The Fihrist of al-Nadîm. A Tenth Century Survey of Muslim Culture*, 2 Vols. (New York: Columbia University Press, 1970), II: 585-6; trans. Vasiliev, *Byzance*, II.ii: 295-6; Skylitzes, *Synopsis*, trans. Wortley, 255; *Vita S. Pauli Junioris in monte Latro*, Ln. trans.: Iacobi Sirmondi S. J., in *Analecta Bollandiana* 11 (1892): 74; ʿUmar ibn Aḥmad ibn Hibat Allāh Kamāl al-Dīn ibn al-ʿAdīm, *Zubdat al-ḥalab min tārīkh Ḥalab*, ed. Sāmī al-

rulers from the Banū Taghlib tribe in the eastern Jazīra (Upper Mesopotamia). Shortly after their defeat by ʿAbbāsid forces in 282/895, they entered ʿAbbāsid service as mercenaries but later became involved in palace intrigues in an attempt to carve out an empire.[219] And the Būyids (or Buwayhids) were new converts to Shīʿī Islam from the Daylam, a mountainous region of northern Iran. The Būyids competed with the Ḥamdānids over the territories of Aleppo and the Jazīra and gradually assumed control over ʿAbbāsid territories

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Dahhān, 3 Vols. (Damascus: al-Maʿhad al-Faransī bi-Dimashq li-l-Dirāsāt al-ʿArabīya, 1951-1968), II: 95-8; trans. Wesam A. Farag, *The Truce of Safar A.H. 359-December-January 969-970* (Birmingham: Centre for Byzantine Studies, University of Birmingham, 1977), pp. 1-8; Fr. trans.: Marius Canard, *Histoire de la dynastie des Hamdanides de Jazîra et de Syrie I* [Publications de la faculté des lettres d'Alger 21, 2nd série] (Algiers: J. Carbonel, 1951), pp. 833-7; Ibn Taghrī Birdī, *Al-Nujūm al-zāhira*, IV: 118; Vasiliev, *Byzance*, II.i: 315-6, 342, 347-8, 352, 355; Reinert, "Muslim Presence", 136; Ramzi Jibran Bikhazi, "The Hamdanid Dynasty of Mesopotamia and North Syria 254-404/868-1014", PhD Dissertation, University of Michigan, 1981, pp. 735-6, 754-5, 770, 777-8; Al-Amin Abdel-Hameed Abouseada, "Byzantium and Islam (9th.-10th. centuries): A Historical Evaluation of the Role of Religion in Byzantine-Muslim Relations", PhD Thesis, University of Birmingham, 2000, pp. 41, 105, 131, 135, 166; Wesam A. Farag, "The Aleppo Question. A Byzantine-Fatimid Conflict of Interests in Northern Syria in the Later Tenth Century", *Byzantine and Modern Greek Studies* 14 (1990): 44-60; Marius Canard, *Histoire de la dynastie des Hamdanides de Jazîra et de Syrie I* [Publications de la faculté des lettres d'Alger 21, 2nd série] (Algiers: J. Carbonel, 1951), pp. 833-7; Reinert, "Muslim Presence", 127; Friedman, *Captivity and Ransom*, p. 52 and n. 35 (p. 54); Drocourt, « Quelques aspects », 34-5; idem, "Overview", 42, 70; Vaiou, *Tenth-Century Treatise*, n. 8 (p. 113). For Būyid-Byzantine relations: Constantine Porphyrogennetos, *De ceremoniis*, trans. Ann Moffatt, Maxeme Tall, *The Book of Ceremonies: with the Greek Edition of the Corpus Scriptorum Historiae Byzantinae* (Bonn, 1829), 2 Vols. (Canberra: Australian Association for Byzantine Studies, 2012), II: 570; Abū Bakr Aḥmad ibn ʿAlī al-Khaṭīb al-Baghdādī, *Tārīkh madīnat Baghdād*, 14 Vols. (Beirut: Dār al-kitāb al-ʿArabī, 1966), V: 379-80; ʿAbd al-Raḥmān ibn ʿAlī ibn Muḥammad Abū al-Farash ibn al-Jawzī, *Akhbār al-adhkiyāʾ*, ed. M. al-Khūlī (Cairo, 1970), p. 118; Abū Shujāʿ Muḥammad ibn al-Ḥusayn Rūdhrāwarī, *Dhayl kitāb tajārib al-umam*, ed. Hilāl ibn al-Muḥassin Ṣābī (Cairo: Faraj Allāh Zakī al-Kurdī, 1916), pp. 11, 32; eds. H. F. Amedroz, D. S. Margoliouth, *Continuation of the Experiences of the Nations*, 7 Vols. (Oxford: Basil Blackwell, 1921), II: 396-7; III: 28-39, 111-2; trans. D. S. Margoliouth, *Continuation of the Experiences of the Nations*, 3 Vols. (London: I.B. Tauris & Co. Ltd., 2015), II: 436, III: 7, 23-35, 115-6; Ibn al-Athīr, *Al-Kāmil*, VII: 110-1; al-Qalqashandī, *Ṣubḥ al-aʿshā*, XIV: 20-24; Marius Canard, « Deux documents arabes sur Bardas Skidros », in *Atti del V. Congresso Internazionale di Studi Bizantini : Roma, 20-26 settembre 1936. Storia, filologia, diritto*, ed. G. Bardi (Rome: Tipogr. del Senato, 1939), pp. 55-69, reprinted in *Byzance et les musulmans du Proche Orient* (London: Variorum: 1973); Wesam A. Farag, "Byzantium and its Muslim Neighbours during the Reign of Basil II", Unpublished Ph.D. Thesis, University of Birmingham, 1979, pp. 82-99; Abouseada, "Byzantium and Islam", 139-40, 189-90, 210.

[219] Marius Canard, "Ḥamdānids", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), III: 126-31; Bikhazi, "Hamdanid Dynasty", 236-41, 243, 257-72, 282-92, 299-300, 321-4, 346-7, 368-71, 411-9; Hugh Kennedy, *The Prophet and the Age of the Caliphates: The Islamic Near East from the Sixth to the Eleventh Century*, 3rd Edn (New York: Routledge, 2016), pp. 229ff.

by the early-fourth/mid-tenth century.[220] The negotiations between the Ḥamdānid *amīr*s and their Būyid successors and the Byzantines are an indication of the rapid integration of both dynasties into the Anatolian-Near Eastern political framework. However, these negotiations were sporadic, ephemeral, and short-distance, as far as we can tell from the sources. The two dynasties, the Ḥamdānids and the Būyids, also competed with each other for control over Baghdad. The specific political pressures faced by smaller political entities vying for hegemony afforded less extensive diplomatic horizons. Thus, the immediate threat posed by the Būyids and Ḥamdānids to both the ʿAbbāsid Caliphate and the Byzantine Empire—and the additional threat of the Bulgars during the regency of Zoe—hindered diplomatic contact between the ʿAbbāsids and Byzantines for a period of several decades from the mid-fourth/tenth century.[221] The Norman and Seljuk invasions caused an even more serious reconfiguration in trans-Mediterranean relations (see below).

The cases above were either infrequent or localized correspondences between the successor states of the ʿAbbāsid and Carolingian empires on the one hand and the Byzantine Empire on the other. In contrast, the Byzantines and Fāṭimids sustained diplomatic relations for a long period beginning in the fourth/tenth century, which allowed trends visible in ʿAbbāsid-Carolingian diplomacy to re-emerge. Sources for thirteen Byzantine-Fāṭimid diplomatic encounters are collected and analyzed in Al-Amin Abdel-Hameed Abouseada's dissertation, which neatly picks up where Vaiou ends her catalogue (he also analyzes several "new" ʿAbbāsid-Byzantine encounters). With these general trends in mind, we can now turn to a closer examination of two central issues that repeatedly

[220] Claude Cahen, "Buwayhids or Būyids", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), I: 1350-1; Bikhazi, "Hamdanid Dynasty", 806ff; Kennedy, *Age of the Caliphates*, 234.
[221] I refer to a gap of little more than a century, between roughly 334/946 and 445/1053.

came under negotiation between Christian and Muslim rulers, with special attention to ʿAbbāsid-Carolingian and Byzantine-Fāṭimid negotiations: access to prayer spaces and the conditions of prisoners. I examine these two issues through three case-studies that also provide additional context for the Anjouin/Ayyūbid period. At the end of this chapter, I link my observations on cross-Mediterranean trends to my observations on the content of negotiations.

III. Minority Conditions and Access to Prayer Spaces: Three Case-Studies

i. Charlemagne and Hārūn al-Rashīd

A useful case-study in cross-Mediterranean, trans-Eurasian diplomacy comprises the exchange of gift-bearing envoys between Charlemagne and Hārūn al-Rashīd. The sheer distance that these envoys had to travel to deliver messages between the ʿAbbāsid and Carolingian courts is testimony to the wealth, influence, and pretensions of both rulers. And the gifts exchanged between these two rulers must have reinforced the status of the recipient as well as the sender in their respective hierarchies and social circles.[222] There is a scholarly consensus that Hārūn al-Rashīd included an elephant among his gifts to the emperor, surely among the most logistically challenging of gifts to ship to Europe.[223] This

[222] See Vaiou, *Tenth-Century Treatise*, 14-16 for the contest of power and prestige between rulers partaking in "common courtly behaviour".

[223] Philippe Sénac, "Les Carolingiens et le califat abbasside (VIIIe-IXe siècles)", *Studia Islamica* 95 (2002): 39-40, 42, 53; Charles D. Cutler, "Exotics in Post-Medieval European Art: Giraffes and Centaurs", *Artibus et Historiae* 12.23 (1991): 163; Leslie Brubaker, "The Elephant and the Ark: Cultural and Material Interchange across the Mediterranean in the Eighth and Ninth Centuries", *Dumbarton Oaks Papers* 58 (2004): 176; cf. F. Omar, "Hārūn al-Rashīd", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), III: 234.

gift would have been impressive to the Carolingians and simultaneously announced the caliph's power to his own court and broader confessional community. Negotiations pertaining to minorities also figured in this contest for authority and honour. A ruler who secured privileges for extraterritorial minorities or negotiated the repatriation of prisoners also extended her/his authority over both the recipient's court and the "home" court.

It was once thought that Charlemagne had created a "protectorate" for the Christians of Palestine residing in ʿAbbāsid domains.[224] Although the idea of an official territorial protectorate was long ago dismantled by Einar Joranson, *any* assertion of authority over Christians on the part of Charlemagne, or even mere communication with Christian and Muslim authorities in the east must be viewed as highly charged and symbolic acts.[225] It was certainly Charlemagne's intention to secure privileges or better economic conditions for the *dhimmī* Christians living in Jerusalem. In doing so, Charlemagne presented himself to Hārūn al-Rashīd as the representative of the Christian subjects living in Dār al-Islām; he also reinforced his image as the leading representative of Latin Christendom at home in his own court, exceeding even the pope's authority, at least in temporal matters; and finally, he extended his authority to the Eastern Christian community living under ʿAbbāsid rule. By communicating with the patriarchs of Jerusalem, Charlemagne also undermined the Byzantine Empire's authority over the eastern churches.[226] In fact, as Einar Joranson notes, it was the patriarch of Jerusalem who first sent monks as envoys to Charlemagne in 799, which suggests that he had learned of the

[224] See Joranson, "Frankish Protectorate", 241-61.
[225] Interestingly, as Einar Joranson points, one scholar has even denied that negotiations ever took place between Charlemagne and the ʿAbbāsids. Joranson, "Frankish Protectorate", 241 and further 258-9.
[226] *Annales regni Francorum inde ab A. 741 usque ad A. 829*, ed. Frederich Kurze (Hannover: Hahn, 1895), sub annis 799, 800 (pp. 108, 110, 112); *Annales qui dicuntur Einhardi*, in *MGH*, *Scriptores* I, sub annis 799, 800 (I: 186-9); *MGH*, *Epistolae Karolini aevi* II, nr. 214 (IV: 357-9); Joranson, "Frankish Protectorate", 243, 245-7.

emperor's envoy to the caliph two years earlier. The emperor's publicly visible expression of authority, though directed at the caliph, was noticed by the patriarch, who responded on his own terms by dispatching envoys. And in the following year, the patriarch of Jerusalem sent the keys to the Church of the Holy Sepulchre to Charlemagne. Einhard recounts that the embassy found the emperor in Rome just prior to his imperial coronation by the pope.[227]

The exact objectives of Charlemagne's envoys to Baghdad require further investigation. Einhard provides some hints in the *Vita Karoli magni imperatoris* (*Life of the Emperor Charles*) that are absent from his continuation of the *Annales Laurissenses* and the *Annales regni Francorum*.[228] He states that

> When the envoys, whom he [Charlemagne] had sent with gifts to the holiest burial place of our Lord and Saviour, came to him [Hārūn al-Rashīd] and indicated their lord's desire to him, not only did he allow what they had asked to be done; he even ceded that holy and sacred place to him so that it could be assigned to his authority.[229]

The hints are succinct indeed! But if we draw on other details from the *Vita Karoli* and the royal capitularies, we may arrive at a plausible guess at Charlemagne's aims. As part of his "outreach program", Charlemagne raised funds to ensure the upkeep of churches in

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[227] *Annales qui dicuntur Einhardi*, in *MGH*, *Scriptores* I, sub anno 800 (I: 188-9); Joranson, "Frankish Protectorate", 245. The motivation for the patriarch's decision to reach out to Charlemagne remains obscure. My conjecture is that dissatisfaction with the iconoclastic policies of Constantine VI (780-797) alongside waning Byzantine power at the turn of the third/ninth century may have elicited a search for new patrons.

[228] For Einhard's access to diplomatic documents, see Louis Halphen, "Introduction", in Einhard, *Vita Karoli magni imperatoris*, ed. Louis Halphen (Paris: H. Champion, 1923), pp. x, 47, and n. 3; and Joranson, "Frankish Protectorate", 250.

[229] *Ac proinde, cum legati eius, quos cum donariis ad sacratissimum Domini ac salvatoris nostri sepulchrum locumque resurrectionis miserat, ad eum venissent et ei domini sui voluntatem indicassent, non solum quae petebantur fieri permisit, sed etiam sacrum illum et salutarem locum, ut illius potestati adscriberetur, concessit*… Einhard, *Vita Karoli magni imperatoris*, eds., trans. Evelyn Scherabon Firchow, Edwin H. Zeydel, *Vita Karoli Magni: The Life of Charlemagne* (Dudweiler: AQ-Verlag, 1985), pp. 68-71, my translation; cf. *Annales regni Francorum*, ed. Frederich Kurze, sub annis 806, 807 (pp. 122, 123); *Annales qui dicuntur Einhardi*, in *MGH*, *Scriptores* I, sub anno 807 (I: 194)

Jerusalem, and he may have founded a hospice for Latin Christian pilgrims.[230] Charlemagne's involvement in the affairs of the Eastern Church alongside the symbolic gesture of the patriarch sending the keys to the Church of the Holy Sepulchre to Charlemagne confirms that the emperor was positioning himself as the patron of Christianity in the Near East. This in turn suggests that Charlemagne's requests could have included protection for Latin and possibly all Christian pilgrims from harm and exemption from the poll tax, if they were to undertake extended pilgrimages, and, finally, permission to restore and construct buildings for Christian worship. The establishment of a hospice, if true, would be a particularly potent gesture since it entailed institutionalizing short-term residence of western Christians as non-*dhimmī*s in Islamic territory. The two points of negotiation above reappear with slight variation in later negotiations between Christian and Muslim rulers and it is likely that they were already entrenched concerns among Byzantine and ʿAbbāsid rulers before the time of Charlemagne and Hārūn al-Rashīd.

The question, then, of whether or not there was a formal "protectorate" is irrelevant; what matters is that Hārūn al-Rashīd and Charlemagne discussed the conditions of an extraterritorial Christian minority residing in Dār al-Islām and that Charlemagne assumed, quite effectively, the role of patron and protector of a Christian space in Jerusalem. In addition, the establishment of a hospice for Latin pilgrims either by Charlemagne or his successors should be also considered a minor milestone in the development of a shared minority discourse whereby both rulers realized the importance of implicating a community of Christians (living under direct Islamic rule) in their negotiations. The caliph's

[230] *XVIII. De elemosina mittenda ad Hierusalem propter aecclesias Dei restaurandas* ("Regarding alms to be sent to Jerusalem for the restoration of the churches of God"). *Capitulare missorum aquisgranense primum*, in *MGH*, *Legum sectio* II, *Capitularia regum Francorum* 1, sub anno 810 (II.i: 152-4); see also Einhard, *Vita Karoli*, 96-7; Joranson, "Frankish Protectorate", 254-5.

motivations for conceding authority to Charlemagne are less clear. We may hypothesize that the very act of conceding rights over Eastern Christian communities was an expression of authority, since these Christians were ultimately in ʿAbbāsid domains and under ʿAbbāsid power. The Eastern Christians began to experience hardships anew after these embassies ended; the same caliph ordered the churches on the Arab-Byzantine frontier demolished and sartorial laws for the Ahl al-Dhimma implemented in Baghdad in 191/806-7.[231] Nevertheless, these negotiations set a precedent for all subsequent negotiations between Christian and Muslim rulers concerning Christian access to holy sites in Jerusalem and Muslim access to prayer spaces in Constantinople (see below).

ii. Conditions of Prisoners

Whether knowingly or not, Charlemagne, like his father and predecessor, Pepin the Short (751-768), actually continued a discussion first begun by ʿUmar ibn ʿAbd al-ʿAzīz (99-101/717-720), the Umayyad caliph in Damascus, and the Byzantine Emperor Leo III (717-741), in which both rulers asserted their authority by bringing extraterritorial minorities into their negotiations.[232] According to Abū Muḥammad ʿAbd Allāh ibn ʿAbd al-Ḥakam (d. c. 199/815), the author of ʿUmar's biography, the negotiations of ʿUmar II and Leo III revolved around the conditions of a single Muslim ex-captive residing in Constantinople. He

[231] Al-Ṭabarī, *Tārīkh al-rusul*, II: 712-3 [Third Series]; trans. C. E. Bosworth, *The History of al-Ṭabarī, Volume 30: The ʿAbbāsid Caliphate in* Equilibrium [Bibliotheca Persica] (New York: State University of New York Press, 1989), p. 268.
[232] Abouseada, "Byzantium and Islam", 96, 204; Drocourt, "Overview", 36-7. For the negotiations between Pepin the Short and the ʿAbbāsid caliph al-Manṣūr, see Joranson, "Frankish Protectorate", 242.

recounts that an envoy of ʿUmar came across a Muslim reciting the Qur'ān while grinding grain and heard his story:

> I was captured from such-and-such a place and I was taken to the ruler of the Rūm, who offered me conversion to Christianity. But I refused. He said: "If you do not, I will take out your eyes." So I chose my *dīn* over my eyes. He took out my eyes and conducted me to this place, sending me each day some wheat, which I grind, and some bread, which I eat.[233]

As soon as the envoy reported back to ʿUmar, the caliph immediately dictated a letter to the effect that the emperor must return the Muslim on threat of a military confrontation.[234] The Muslim was brought back by the same envoy and tensions presumably de-escalated.

Vaiou questions the reliability of this story as well as later accounts of negotiations dealing with the welfare of prisoners or entrenched minorities. She notes that the ʿAbbāsids and Byzantines were "invariably portrayed as caring for their prisoners" in the Arabic and Greek sources and considers expressions of this nature nothing more than a *topos* related to immediate political circumstances.[235] Vaiou also points out that specific variations on the theme as portrayed in the sources must be linked to the wider political and polemical context. Yet such accounts still point to an underlying concern shared by Christians and Muslims, namely that captives would be forced or pressured into

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[233] *Innī usirtu min mawḍiʿ kidhā wa-kidhā fa-utīya* [sic] *bīy ilā ṣāḥib al-Rūm fa-ʿaruḍa ʿalayya al-Naṣrānīya fa-abītū fa-qāla lī: in lam tafʿal samaltu ʿaynīk. Fa-akhtartu dīnī ʿalā baṣarī fa-samala ʿaynayy wa-ṣīrnī* [sic] *ilā hādhā al-mawdiʿ yarsal ilayya kul yawm bi-ḥinṭa fa-aṭḥanuhā wa-khubza fa-ākuluhā*. Abū Muḥammad ʿAbd Allāh ibn ʿAbd al-Ḥakam, *Sīrat ʿUmar ibn ʿAbd al-ʿAzīz*, ed. Aḥmad ʿUbayd, 6th Edn (Beirut: ʿĀlam al-Kutub, 1984), p. 148; see also *La vie du khalife Omar ben Abd al-ʿAziz : celui qu'on appelait le cinquième khalifé*, trans. Azzedine Haridi (Paris: Iqra', 2002), p. 193; summarized version in Abouseada, "Byzantium and Islam", 204. That Muslim prisoners were used for slave labour is corroborated by al-Muqaddasī. See Muḥammad ibn Aḥmad al-Muqaddasī al-Bashshārī, *Aḥsan al-taqāsīm fī maʿrifat al-aqālīm*; trans. *Bibliotheca Geographorum Arabicorum 3: Descriptio Imperii Moslemici*, ed. M. J. de Goeje (Leiden: E. J. Brill, 1967), p. 148; see also Reinert, "Muslim Presence", 127.

[234] Ibn ʿAbd al-Ḥakam, *Sīrat*, p. 148; trans. Haridi, *Khalife Omar*, 194.

[235] Vaiou, *Tenth-Century Treatise*, 11-12; cf. Anderson, "Islamic Spaces", 91.

apostatizing.[236] Even if not explicitly stated by our sources, the economic hardships faced by hostages and prisoners could impel individuals to explore options, including conversion.[237] Rulers were expected by their courts and subjects to prevent apostasy.

It should not surprise us, then, that references to the conditions of prisoners of war appear in several sources for ʿAbbāsid-Byzantine diplomatic encounters, even during the reign of the caliph al-Muqtadir. According to the account of al-Muḥassin ibn ʿAlī al-Tanūkhī (d. 384/994), al-Muqtadir's own *wazīr*, ʿAlī ibn ʿIsā, travelled to Constantinople to inspect the praetorian prison, where Muslims were being held, which echoes the story of Ibn ʿAbd al-Ḥakam. The Byzantines had made efforts to improve the conditions of these Muslim captives following the threat of ʿAbbāsid reprisals against Christians in caliphal territories.[238] Again, the account seems apocryphal and the *wazīr*'s prison tour is uncorroborated by other sources.[239] Yet, the underlying concern over the fate of Muslim prisoners is a direct parallel to the case of ʿUmar presented above, and may even recall Charlemagne's concern over the fate of Christians visiting ʿAbbāsid Jerusalem or residing there. The specific ways in which that concern was expressed were undoubtedly fictionalized in the narrative. However, such narratives only meant something or evoked interest in their readers because they reflected a reality in which rulers and their subjects

[236] Abouseada, "Byzantium and Islam", 204.
[237] See also Rotman, *Byzantine Slavery*, 41 for opportunities for social mobility after conversion.
[238] R. J. H. Jenkins, "The Emperor Alexander and the Saracen Prisoners", *Studi Bizantini e Neoelleniki* 7 (1953): 389-93, reprinted in *Studies on Byzantine History of the Ninth and Tenth Centuries* (London: Variorum, 1970), Article XV; cited in Friedman, *Captivity and Ransom*, p. 42.
[239] Al-Tanūkhī's work, though undoubtedly reflective of reality in his day and age, was also subject to the vagaries of *adab*. His main purpose in *Nishwār al-muḥāḍara* was to present deeds of *karāma* (good fortune) and *topoi* of *al-faraj baʿda al-shidda* (relief after adversity). See H. Fahndrich, "al- Tanūk̲h̲ī", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), X: 192-3. The dispatch of gifts, however, is collaborated by ʿArīb b. Saʿīd [= Eutychius]. See Anthony Cutler, "Gifts and Gift Exchange as Aspects of the Byzantine, Arab, and Related Economies", *Dumbarton Oaks Papers* 55 (2001): 269. For a study of this episode, see Jenkins, "Saracen Prisoners", 389.

participated, namely a shared anxiety over the pressures that extraterritorial minorities faced and the possibility of their apostasy.

iii. The Mosque of Constantinople

In her comprehensive study, Glaire D. Anderson argues that the mosque of Constantinople was not always identified as a mosque and only gradually accumulated symbolic and political significance.[240] From the mid-third/tenth century onwards, a mosque featured regularly in negotiations between the Byzantines and various Muslim dynasties. Anderson also notes that, once established, the mosque served as "a counterpart to Christian monuments in Islamic territories" in negotiations between Byzantine and Muslim rulers.[241] Therefore, the Islamic spaces in Constantinople "operated within the framework of gift exchange in Byzantine-Islamic diplomacy", and were often tied to truce negotiations and prisoner exchanges.[242] We can already perceive an analog between Islamic interest in the Constantinopolitan mosque and earlier Carolingian concerns over Christian access to holy sites in Jerusalem, although the Christian sites had an additional layer of significance as pilgrimage sites. We can also see how the anxieties of Muslim rulers over the fate and faith of co-religionists held prisoner, examined in the previous subsection, led to efforts to ensure access to prayer spaces.

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[240] The argument is repeated in David Woods, "Maslama and the Alleged Construction of the First Mosque in Constantinople c. 718", in *Negotiating Co-Existence: Communities, Cultures and 'Convivencia' in Byzantine Society*, eds. Barbara Crostini, Sergio La Porta (Trier: Wissenschaftlicher Verlag, 2013), p. 29. Both Glaire Anderson and David Woods discuss the mythical attribution of the mosque's early construction to Maslama ibn 'Abd al-Malik (d. 121/738).
[241] For a study of the origins of the mosque, see Woods, "First Mosque", 19-30.
[242] Anderson, "Islamic Spaces", 86-7, 93-4, 99, 101.

In this section, I will pass over references to the early fourth/tenth century building designed to accommodate elite Muslim prisoners, known as the Dār al-Balāṭ ("Palace of the Court") as well as the silk merchant residence known as the "Syrian" *mitaton*.[243] Rather, I will focus on the mosque of Constantinople once it had already become an official prayer space. According to Anderson, the starting point of its history was the truce agreement between the Byzantine emperor Basil II (976-1025) and the Fāṭimid caliph al-ʿAzīz (364-386/975-996), concluded in 377/987-8.[244] Importantly, the caliph required that the *khuṭba*—the sermon of the Friday prayer—be pronounced in the Fāṭimid name, which amounted to an assertion of Fāṭimid representation for all Muslims, Shīʿī and non-Shīʿī, in Constantinople.[245] This was a potent symbolic gesture to the Byzantine emperor as well as to the rival ʿAbbāsid caliph—and, we can add, to the Western Umayyad caliph.[246] The Byzantines, in turn, negotiated trade privileges for Greek merchants.[247] We can hypothesize that they also exercised their authority by protecting the interests of all Christians in Egypt.

The negotiations over the Constantinopolitan mosque may have been inspired by even earlier discussions regarding access to prayer space in or near centres of Christian power. Ibn al-Athīr informs us that al-Ḥasan ibn ʿAlī ibn Abī al-Ḥasan al-Kalbī, appointed governor of Sicily by the Fāṭimid caliph, laid the foundations of a mosque in a town in

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[243] See al-Muqaddasī, *Aḥsan al-taqāsīm*, 47-8; Anderson, "Islamic Spaces", 88-98; see also Reinert, "Muslim Presence", 132-4.

[244] Ibn Taghrī Birdī, *Al-Nujūm al-zāhira*, IV: 155 (sub anno 377 H.); al-Dhahabī, *Tārīkh al-Islām*, MS London, British Library, Or. 48., fol. 16r-16v [I have not yet consulted this manuscript]; sources cited in: Yaacov Lev, "Prisoners of War during the Fatimid-Ayyubid Wars with the Crusaders", in *Tolerance and Intolerance: Social Conflict in the Age of the Crusades*, eds. James M. Powell, Michael Gervers (Syracuse: Syracuse University Press, 2001), p. 21; see also Reinert, "Muslim Presence", 137; Anderson, "Islamic Spaces", 99.

[245] Reinert, "Muslim Presence", 137; Anderson, "Islamic Spaces", 99-101; Drocourt, "Overview", 66.

[246] See Abouseada, "Byzantium and Islam", 134-5. Skylitzes understood that the Fāṭimids came to represent a great part of the Mediterranean-Muslim community but was mistaken in claiming that the Fāṭimids, whom he calls Carthaginians, were elected for the role. Skylitzes, *Synopsis*, trans. Wortley, 274.

[247] See Reinert, "Muslim Presence", 134-6.

Calabria (Qalūrīya) in 341/952-3.[248] He then concluded a truce (*hudnā*) with the Byzantines, which included the following stipulations:

> that Muslims shall not be prevented from building [the new mosque] and worshipping in it and maintaining a call to prayer, and that no Christians would be allowed to enter [the mosque], and that any Muslim prisoner that worshipped in it would remain under safe-conduct whether he was an apostate or steadfast in his *dīn*, and that, if they [i.e. the Byzantines] removed a single stone from the mosque, all the churches in Sicily and Ifrīqīya would be destroyed.[249]

These stipulations were intended to safeguard a vulnerable Muslim enclave that may have included merchants in a predominantly Christian region. It does not seem implausible that this early truce, designed to protect the Muslims of Calabria, provided a template that the Fāṭimid caliph used in negotiations with the Byzantine emperor only decades later with an eye to the Muslim enclave in Constantinople. Furthermore, such discussions mirror and are undoubtedly linked to the earlier negotiations examined above: i.e. the correspondence of ʿUmar II addressed to Leo III and Charlemagne's overtures to the caliph Hārūn al-Rashīd. An agreement concluded in Ṣafar 359/December-January 970 between Qarghūyā, the Ḥamdānid *amīr* of Aleppo, and the Byzantine emperor Basil II must also belong to earlier stages of this continuum. In this latter agreement, the Byzantines secured unhindered access to Christian holy sites, thereby reasserting their role as representatives of the eastern churches.[250]

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[248] I have not been able to locate this town, which Ibn al-Athīr calls ريو. Since al-Kalbī conquered Cassano (Qassāna) and its hinterland in 340 H., returned to Messina (Masīnā) to winter there, and was then ordered back to Calabria before returning to ريو, we may posit that this town was likely situated in Calabria southwest of Cassano.

[249] *…annahum lā yamnaʿūn al-Muslimīn min ʿimāratihi wa-iqāmat al-ṣalā fīhi, wa-al-aẓān, wa-anna lā yadkhuluhu Naṣrānīyun, wa-man dakhalahu min al-usārā al-Muslimīn fa-huwa āmin siwāʾ kāna murtaddan aw muqīman ʿalā dīnihi, wa-anna akhrajū ḥajaran minhu hudimat kanāʾisuhum kulluhā bi-Ṣaqilīya wa-Ifrīqīya*. Ibn al-Athīr, *Al-Kāmil*, VIII: 474 (sub anno 336 H.); summarized in Abouseada, "Byzantium and Islam", 165, 183-4.

[250] Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 95-8; cited in Abouseada, "Byzantium and Islam", 41, 105, 131, 135. A translation of the text can be found in Wesam A. Farag, "The Truce of Safar A.H. 359-December-January 969-

Just as rulers conceded privileges during ententes and peace negotiations, benefitting in turn the extraterritorial minorities that were being implicated, so too did rulers retract privileges, thereby causing disadvantage to the same minorities. The mosque of Constantinople appears to have been closed for a number of years and possibly even vandalized following al-Ḥākim's persecution of the Christians in Egypt and Jerusalem.[251] We may assume that the Muslims in Constantinople suffered a general deterioration in their conditions, though I have not yet come across evidence to this effect. Diplomatic relations were restored in 418/1027 during the reigns of al-Ḥākim's son and successor, Abū al-Ḥasan ʿAlī al-Ẓāhir (411-427/1021-1036), and Constantine VIII (1025-1028).[252] The Byzantines promised to release Muslim prisoners, re-open the mosque, and ensure that the Fāṭimid caliph was named in the *khuṭba*. The Fāṭimids allowed the restoration of the Church of the Holy Sepulchre.[253] Once again a diplomatic agreement included and benefitted extraterritorial minorities on both sides.

The Byzantine-Fāṭimid truce of 418/1027 appears to have been renewed in 429/1037-8 and was set for another renewal in 447/1055-6 when diplomatic relations were interrupted—literally—by envoys of the Seljuk sultan Tughril Beg (429-455/1037-

970", in *Proceedings of the Eleventh Spring Symposium of Byzantine Studies* (Birmingham: Centre for Byzantine Studies, 1979), pp. 1-12.

[251] Reinert, "Muslim Presence", 139; Anderson, "Islamic Spaces", 100.

[252] Aḥmad ibn ʿAlī Taqī al-Dīn al-Maqrīzī, *Ittiʿāẓ al-ḥunafāʾ fī akhbār al-aʾima al-Faṭimiyīn al-khulafāʾ*, ed. M. H. M. Aḥmad, 3 Vols. (Cairo, al-Lajnat Iḥyāʾ al-Turāth al-Islāmī, 1967-1973), II: 175-6; Ġirīġūriyūs ibn Hārūn ibn al-ʿIbrī [= Bar Hebraeus], *Makhtbhanuth Zabhne*, trans. E. A. W. Budge, *The Chronography of Gregory Abū'l-Faraj* (Oxford: Humphrey Milford, 1932), I: 185; sources cited in Abouseada, "Byzantium and Islam", 134, 183; see also William of Tyre, *Chronicon*, 1.6 (I: 113); trans. Babcock, Krey, *Deeds*, I: 69; Anderson, "Islamic Spaces", 100-1; Reinert, "Muslim Presence", 138; Lev, "Prisoners of War", 22. N.b. the 1924 *Patrologia Orientalis* edition of Yaḥyā ibn Saʿīd's continuation by A. Vasiliev and I. Kratchkowsky does not run up to the year 418/1027. On the restoration of the Church of the Holy Sepulchre at the orders of al-Ḥākim, see Sayf al-Dīn Abū Bakr ibn ʿAbd Allah ibn Aybak al-Dawādārī, *Kanz al-durar wa-jamiʿ al-ghurar VI: al-Dura al-muḍya fī akhbār al-dawla al-Faṭimīya*, ed. Ṣalāḥ al-Dīn Al-Munajjid (Cairo, Deutsches Archäologische Institut, 1961), p. 298; see also Yaḥyā ibn Saʿīd al-Antākī, *Kitāb al-tārīkh*, ed. Louis Cheikho, *Annales* [Scriptores Arabici 3.6] (Beirut: The Catholic Press, 1906-1909), II: 232-3 for a copy of al-Ḥākim's decree.

[253] Al-Antakī, *Kitāb*, II: 270-1; Reinert, "Muslim Presence", 139; Lev, "Prisoners of War", 22.

1063), who demanded that the *imām* in the Byzantine mosque include the name of the ʿAbbāsid caliph in the Friday *khuṭba*. The empress Theodora acquiesced to Tughril Beg's demands and the Fāṭimids retaliated to their loss of face by confiscating the treasury housed in the Holy Sepulchre.[254] Thereafter, the frequency of Byzantine-Fāṭimid diplomatic contacts declined drastically as the Seljuks expanded westward and positioned themselves as the new representatives of Islam. Meanwhile, the Byzantines struggled with a new menace in Apulia and Calabria (see below).

Tughril Beg's intervention was an unprecedented act in that the Seljuks had entered the political scene as nomadic warlords and had not initially presented themselves as aspiring leaders of the entire Muslim *umma* (community) in the way that the Umayyads, ʿAbbāsids, and Fāṭimids had done.[255] Yet, striking continuities emerged once the Seljuks established their empire. As Anderson notes, "the arrival of the Seljuks as players in what by now seems to have been a standard process between the Byzantines and Fatimids, reflects the ascendance of the Seljuks in international politics."[256] The involvement of the Seljuks in negotiations with the Byzantine emperors marked the decline of the caliphate as an institution that could represent Islam to Christian rulers. Thus, the Seljuks simply followed a familiar tradition of Christian-Muslim diplomacy that had been ongoing for two

[254] Al-Maqrīzī, *Ittiʿāẓ*, II: 230-1, 234; al-Maqrīzī, *Kitāb al-muqaffā al-kabīr*, ed. Muḥammad Yaʿlāwī, 8 Vols. (Beirut: Dār al-Gharb al-Islāmī, 1991), III: 383-9, 425-6; cited in Lev, "Prisoners of War", 22-3; see also Reinert, "Muslim Presence", 140. According to Ibn al-Athīr, however, the Byzantine emperor restored the Constantinopolitan mosque for Tughril Beg as early as 441/1049-50, who arranged for his own name (!) to be pronounced in the *khuṭba*. Ibn al-Athīr, *Al-Kāmil*, IX: 557, X: 28; trans. D. S. Richards, *The Annals of the Saljuq Turks: Selections from al-Kāmil fī'l-ta'rīkh of 'Izz al-Dīn Ibn al-Athīr* (London: RoutledgeCurzon, 2002), pp. 73, 144-5; for more examples of the *khuṭba* contest: *al-Kāmil*, X: 61, 68, 88, 100; trans. Richards, *Selections*, 166, 172, 182, 190.

[255] C. E. Bosworth, R. Hillenbrand, J. M. Rogers, F. C. de Blois, R. E. Darley-Doran, "Saldjūḳids", in *Encyclopaedia of Islam, Second Edition*, eds. P. Bearman, Th. Bianquis, C. E. Bosworth, E. van Donzel, W. P. Heinrichs, VIII: 939.

[256] Anderson, "Islamic Spaces", 101.

centuries. The only difference between them and the caliphs was their concession of nominal authority over the *umma* to the caliphate.[257]

IV. Fragmentation of Mediterranean Diplomacy in the Fifth/Eleventh Century[258]

A series of disruptions in the political framework took place in the fifth/eleventh century and once again lines of communication were redrawn.[259] Ghuzz (Tk. Oğuz) Turkic peoples had begun to migrate into Transoxiana (roughly modern Uzbekistan) in the early fourth/tenth century and there they served local rulers as mercenaries. A kin-group of the Ghuzz, known as the Seljuks, eventually turned against their Transoxianan Ghaznavid patrons in c. 428/1037 and established their own polity, stretching from Khurāsān (roughly modern Afghanistan) to Persia.[260] The "Lesser Seljuks" then moved further westward, raiding town and country, threatening pilgrimage routes across Byzantine Anatolia, and disrupting the patterns of diplomatic contact discussed above.[261] Under

[257] Bosworth et al., "Salḏjūḳids", 936, 938-9; Irwin, *Early Mamluk Sultanate*, 10; Ira M. Lapidus, "State and Religion in Islamic Societies", *Past and Present* 151 (1996): 13-5; and Shahab Ahmed's critique in *Being Islamic*, 220-2.

[258] The coverage and selective use of sources in some studies creates the sometimes misleading view that diplomacy ended completely during major political upheaval. See for example: Vaiou, *Tenth-Century Treatise*, 6-16, in which the focus is on ʿAbbāsid-Byzantine relations up to the reign of al-Muʿtaṣim; and Samarrai, in "Commerce and Diplomacy", 11-2, overlooks cross-Mediterranean diplomatic contacts in the early sixth/twelfth century; see also Beihammer, "Eastern Mediterranean Diplomatics", 3, 7-8, 16, 20-4. Instead, I am proposing that we consider all changes as shifting currents in a continuous flow of diplomatic contact.

[259] Cf. Drocourt, "Overview", 50.

[260] Ibn al-Athīr, *Al-Kāmil*, IX: 377-87; trans. Richards, *Selections*, 13-21; Ġirīġūriyūs ibn Hārūn, *Makhtbhanuth*, trans. Budge, 217-9; Claude Cahen, *Turquie pré-ottomane*, trans. J. Jones-Williams, *Pre-Ottoman Turkey: A General Survey of the Material and Spiritual Culture and History c. 1071-1330* (New York: Taplinger Pub. Co., 1968), pp. 22-3, 26-7; cf. Irwin, *Early Mamluk Sultanate*, 10-1; Bosworth et al., "Salḏjūḳids", 938. The Seljuks under Tughril Beg removed the Būyids from Baghdad in 447/1055.

[261] Speros Vryonis, Jr., *The Decline of Medieval Hellenism in Asia Minor and the Process of Islamization from the Eleventh through the Fifteenth Century* (Berkeley: University of California Press, 1986), pp. 110-3 and ch. 3; cf. Christopher Tyerman, *God's War: A New History of the Crusades* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2006), pp. 81ff for a revised view on the disruption of pilgrimage routes. See also the discussion in Cahen, *Pre-Ottoman Turkey*, 44-5.

Tughril Beg and his immediate successor Muḥammad Alp Arslan (455-465/1063-1072), the nascent Seljuk polity consolidated and expanded into the Jazīra, Greater Syria, and the Coastal Plain to the detriment of the Būyids, ʿAbbāsids, and Fāṭimids.[262] Like the Būyids, and the Ḥamdānids before them, the Seljuks outflanked the ʿAbbāsid armies and decisively curbed their ability to negotiate with rulers beyond the Jazīra. The empire fragmented with the death of Malik Shāh in 485/1092 but the Seljuks of Rūm continued to rule over Anatolia into the Mamlūk Period.[263]

Similarly, the Normans kept the Byzantines, Lombards, Fāṭimids, and Kalbīds busy when they migrated to the Apennine Peninsula and Sicily. They were first enrolled by the Byzantines as a mercenary army and lastly, without much success, by the Holy See. Like the Seljuks, the Normans also turned against their patrons and threatened their territories, and in doing so they became regional actors among central Mediterranean polities.[264] Once they had reached a dominant position and re-allied themselves with the papacy, they were able to negotiate directly with outside powers, like the Fāṭimids.[265] Pope Urban II granted the first Norman ruler of Sicily, Roger Bosso de Hauteville (463-4—494-5/1071-1101),

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[262] Cahen, *Pre-Ottoman Turkey*, 26-7, 29, 70-1; Bosworth et al., "Saldj̲ūḳids", 940; Brauer, "Boundaries", 61-2.
[263] Cahen, *Pre-Ottoman Turkey*, 46, 80-1.
[264] For overviews of Norman mercenary activity and subsequent invasions of Apulia, Calabria, and Sicily, see Marjorie Chibnall, *The Normans* (Oxford: Blackwell Publishers, 2000), pp. 75-81; E. J. Cowdrey, *The Age of Abbot Desiderius: Montecassino, the Papacy, and the Normans in the Eleventh and Early Twelfth Centuries* (Oxford: Clarendon Press, 1983), pp. 107-9, 130-1; Catlos, *Latin Christendom*, 96; Sarah Davis-Secord, *Where Three Worlds Met: Sicily in the Early Medieval Mediterranean* (Ithaca: Cornell University Press, 2017), pp. 176-7, 180-3. A turning point in the Apennine power balance was the Battle of Cannae in 1041 in which a Norman-Lombard army defeated a Byzantine-led force. Skylitzes, *Synopsis*, trans. Wortley, 401. Another took place in 1053, when a Norman mercenary force defeated a combined German-Lombard-papal alliance.
[265] Cowdrey, *Abbot Desiderius*, 112-3, 143ff. For relations with the Fāṭimids, see Marius Canard, « Une lettre du calife fāṭimite al-Ḥāfiz à Roger II de Sicile », in *Atti del Convegno Internazionale di Studi Ruggeriani (21-25 aprile 1954)* (Palermo: Scuola linotypografica Boccone del povero, 1955), pp. 125-46, reprinted in *Miscellanea Orientalia* (London: Variorum, 1973); Jeremy Johns, "The Norman Kings of Sicily and the Fatimid Caliphate", *Anglo-Norman Studies* 15 (1993): 145-7; Jeremy Johns, "Malik Ifriqiya", *Libyan Studies: Annual Report of the Society for Libyan Studies* 18 (1987): 89-101; all cited in Davis-Secord, *Three Worlds*, 219.

legatine powers in 1098, addressing him as Count of Sicily and Calabria.[266] Making Roger equal to a papal legate may have been more ceremonial than functional in purpose but points to symbolic Norman representation of the Latin Church in Sicily. In addition, the authority exercised by the pope in conferring privileges and the implied protection and legatine services of the Normans recalls the relationship shared by Charlemagne, who acted as the protector and executive arm of the papacy, and Pope Leo III, who had crowned the emperor in 800. Roger further substantiated his claim of representation over Christendom by demanding the release of all Christians when he conquered Malta in 483-4/1091.[267]

The Normans thus acquired stature in the eyes of the popes and eventually propagated their authority further afield. Diplomatic relations between Norman Sicily and Fāṭimid Cairo appear to have begun sometime before 519-20/1126, when Roger II sent

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[266] The papal letter is preserved in Geoffrey de Malaterra's chronicle: *Urbanus Episcopus, sersus servorum Dei, carissimo filio Rogerio, comiti Calabriae et Siciliae, salutem et apostolicam benedictionem. Quia propter prudentiam tuam, Supernae Maiestatis dignatio te multis triumphis et honoribus exaltavit, et probitas tua in Saracenorum finibus Ecclesiam Dei plurimum dilatavit, sanctaeque Sedi Apostolicae devotam se multis modis semper exhibuit, nos in specialem atque carissimum filium eiusdem universalis matris Ecclesiae assumpsimus, idcirco de tuae probitatis sinceritate plurimum confidentes, sicut verbis promisimus, litterarum ita auctoritate firmamus: quod omni vitae tuae tempore, vel filii tui Simonis, aut alterius qui legitimus tui haeres extiterit, nullum in terra potestatis vestrae, praeter voluntatem aut consilium vestrum, legatum Romanae Ecclesiae statuemus; quinimmo, quae per legatum acturi sumus, per vestram industriam legati vice cohiberi volumus, quando ad vos ex latere nostro misserimus, ad salutem videlicet Ecclesiarum, quae sub vestra potestate existant, ad honorem beati Petri; sanctaeque eius Sedis Apostolicae, cui devote hactenus obedisti; quamque in opportunitatibus suis strenue ac fideliter adiuvisti. Si vero celebrabitur concilium, tibi mandavero quatenus episcopos et abbates tuae terrae mihi mittans, quot et quos volueris, alios ad servitium ecclesiarum et tutelam retineas. Omnipotens Dominus actus tuos in beneplacitu suo dirigat, et te, a peccatis absolutum, ad vitam aeternam perducat. Datum Salerni per manum Iohannis, sanctae Romanae Ecclesiae Diaconi Cardinalis, tertio nonas Iulii; indictione septima, anno Pontificatus nostri undecimo.* Geoffrey de Malaterra, *Gestis Rogerii*, 4.29 (p. 108); trans. Kenneth Baxter Wolf, *The Deeds of Count Roger of Calabria and Sicily and of his Brother Duke Robert Guiscard* (Ann Arbor: University of Michigan Press, 2005), p. 213; 1924 edition of Ernesto Pontieri cited in David C. Douglas, *The Norman Achievement, 1050-1100* (Berkeley: University of California Press, 1969), pp. 144-5; cf. Catlos, *Latin Christendom*, 101. Roger had adopted the title *magnus comes Calabriae et Siciliae* around 1096. Arthur Engel, *Recherches sur la numismatique et la sigillographie des Normands de Sicile et d'Italie* (Paris: Ernest Leroux, 1882), p. vi. For a discussion of the papacy's more common uses of the terms *nuncius* and *legatus*, see I. S. Robinson, *The Papacy, 1073-1198: Continuity and Innovation* (Cambridge: Cambridge University Press, 1990), pp. 148-9.

[267] Geoffrey de Malaterra, *Gestis Rogerii*, 4.16 (p. 95). I thank Sarah Keeshan for this reference.

envoys to Cairo to negotiate trading privileges. That the Fāṭimid caliph al-Ḥāfiẓ (526-544/1131-1146) later sent Roger II an embassy bearing a royal parasol as a gift confirms the growing influence of the Normans as representatives of Latin Christendom from the late fifth/eleventh century.[268] And in the year 542/1147-1148, a Muslim ruler of Gabès (in modern Tunisia) pledged allegiance to Roger II following a dispute with a neighbouring Muslim tribe. In this instance, Roger exercised his authority as a *Muslim* sovereign by sending the ruler robes and a diploma of investiture.[269]

As seen above, the Seljuks engaged in negotiations with the Byzantine emperor over the Constantinopolitan mosque and their negotiations certainly involved prisoner exchanges and touched on the conditions of Muslims held hostage in Byzantium. It is highly probable that the Normans would also have capitalized on their diplomatic relations with the Fāṭimids to attempt representation of the Christians in Egypt. One may venture that the Muslims in Sicily also enjoyed a period of stability and prosperity under the first Norman rulers owing partly to a strategy of appeasement toward the Fāṭimids that hinged on two points. First, the Normans looked to the Fāṭimid government as a model for their own administration, taking into account practical administrative methods as well as symbols and rituals of rulership. More generally, the Normans fancied aspects of Islamic law and

[268] Muḥammad ibn ʿAlī ibn Ḥamād, *Akhbār mulūk Banī ʿUbayd*, ed., trans. M. Vonderheyden, *Histoire des rois ʿObaïdites* (Paris: P. Geuthner, 1927), pp. 15, 28; al-Qalqashandī, *Ṣubḥ al-ʿashā*, VI: 463, cited in Johns, "Norman Kings", 146-7; see also Catlos, *Latin Christendom*, 109; Drocourt, "Overview", 35. Fahmida Suleman (Curator of Islamic Art & Culture, Royal Ontario Museum) has recently elaborated on how the Fāṭimids projected their authority by dispatching rare and symbolically charged gifts such as giraffes to their Zirid allies. Fahmida Suleman, "Reaching New Heights: Material Culture, Ceremonial and Diplomacy in Fatimid Egypt", Paper presented at the Royal Ontario Museum, 12 February 2018. I thank Dr. Suleman for sharing the print version of her presentation (forthcoming as "Reaching New Heights: Material Culture, Ceremonial and Diplomacy in Fatimid Egypt", in *Image, Artefact, and Text: Canadian Contributions to the Study of Islamic Art and Archaeology*, eds. Marcus Milwright, Evanthia Baboula (Leiden: Brill, forthcoming 2019).

[269] Ibn al-Athīr, *Al-Kāmil*, XI: 120; trans. Richards, *Chronicle*, II: 13-4. See also Fancy, *Mercenary Mediterranean*, 75 esp., for similar claims of universal rulership on the part of Aragonese kings.

used Arabic as an administrative language from the mid-520s/1130s.[270] I would go even further to suggest that the Normans specifically appealed to Fāṭimid sensibilities by purposefully adapting Ismāʿīlī-Shīʿī titulature and palace inscriptions.[271] Contemporaries in the Norman court must have been aware of at least general differences between Shīʿī and Sunnī beliefs and perhaps even political-soteriological views.[272] This hypothesis would make sense in light of the second factor motivating the Normans to align themselves with the Fāṭimids: they were keen on preventing the redevelopment of Byzantine-Fāṭimid relations, which had remained severed since 447/1055-6, the year in which the Seljuks sabotaged Fāṭimid efforts to reinstate the *khuṭba* in the ʿAbbāsid name.[273] Nevertheless, I have not yet come across clear evidence that the diplomatic contact between the Fāṭimids and Normans directly brought about the improvement of the conditions of subjected minorities in either Egypt or Sicily.

In any case, neither the Seljuks nor the Normans exercised as much power as Charlemagne and Hārūn al-Rashīd or Basil II and al-ʿAzīz in terms of representation over their respective communities of co-religionists and sheer geographic reach. There appear to be no surviving records of Sicilian Norman negotiations with the ʿAbbāsids or even Seljuks in this period, and I think that it is unlikely that any new evidence will come to light. In addition, Fāṭimid negotiations with the Byzantines seem to end abruptly after

[270] Jeremy Johns, *Arabic Administration*, esp. chs. 2 and 9; Davis-Secord, *Three Worlds*, 220.
[271] Cf. Johns, "Norman Kings", 137-8, 149, 152-4, 158-9.
[272] This would require a close reading of the Norman chronicles to prove. For the time being, I can point to William of Tyre's knowledge of Shīʿīsm: William of Tyre, *Chronicon*, 19.21 (II: 890-3); trans. Babcock, Krey, *Deeds*, II: 323-4.
[273] One must not rule out at least a vague strategic understanding between the Fāṭimids and the Norman contingent on the First Crusade, somewhat reflected in the "Ibn al-Athīr hypothesis" according to which the Fāṭimids "invited" the crusaders to conquer the Levant. Maher Y. Abu-Munshar, "Fāṭimids, Crusaders and the Fall of Islamic Jerusalem: Foes or Allies?", *Al-Masāq* 22.1 (2010): esp. 55. Immediately following the Byzantine-Papal schism of 1054, the popes were also under enormous pressure from the Normans, who therefore did not benefit from papal sanction in constructing their idea of legitimate rulership. Cowdrey, *Abbot Desiderius*, 110.

447/1055-6, the same year that Tughril Beg entered Baghdad. By the late fifth/eleventh century, the Fāṭimids could no longer guarantee the Byzantines that they could release Christian prisoners held by other Muslim rulers (i.e. the Seljuks).[274] The influence of the Fāṭimids as representatives of the *umma* had waned and the ability of the Byzantines to represent the Christians of the Levant was about to be diminished by participants in the First Crusade, among which the Normans played a major role.[275] The Normans and Seljuks, as challengers to Byzantine and Fāṭimid political hegemony, simply did not achieve a scale of political influence that would allow them to assume authority over extraterritorial minorities, as witnessed in earlier periods.

V. Conclusions

In the preceding, my aim was to demonstrate that rulers exhibited their power through the diplomatic reach of their embassies as well as the contents of their negotiations. In terms of the content of negotiations, rulers repeatedly engaged in conversations about the welfare of extraterritorial minorities, thereby forming a discourse that spanned several reigns and dynasties. They augmented their authority both at home and abroad by securing privileges for co-religionists residing or being held captive in foreign domains. And the welfare of extraterritorial minorities was often closely linked to specific spaces marked as places of worship. Therefore, Christian rulers repeatedly assumed responsibility over the holiest of sites in Christianity, the Holy Sepulchre in

[274] Lev, "Prisoners of War", 23.
[275] Chibnall, *Normans*, 95-7.

Jerusalem, whereas Muslim rulers negotiated over the only major mosque in Christian territory, the mosque of Constantinople.

Furthermore, as Anderson notes, the same discourse was picked up in the late sixth/twelfth century when Ṣalāḥ al-Dīn provided furnishings to the Constantinopolitan mosque.[276] Thus, Ṣalāḥ al-Dīn's negotiations with the Byzantine emperor over the welfare of Muslims in the Byzantine capital was not an innovation but rather an expression of the sultan's power and a sign of his participation in a contest of authority in which rulers of major Islamic polities regularly and repeatedly participated. However, it remains to be seen how the sultan as an individual ruler came to understand this discourse, how he accumulated enough power and prestige to elicit the attention of the Byzantines, and finally, how the sultan's negotiations with the emperor fit into a larger Ayyūbid ideological and political vision.

In the next three chapters (Chapters 4-6), I examine how the Zengids, Ayyūbids, and their successors, the Mamlūks, participated in an ever-growing web of competing interests that came to implicate extraterritorial minorities. In doing so, I hope to trace stages in the gradual revival of a *Mediterranean-wide* shared minority discourse several decades after the Norman and Seljuk invasions , during which the shared minority discourse had become localized and parochial. Finally, I will "zoom out" and examine broader developments in ideas of rulership specifically during the reigns of the Ayyūbid and Mamlūk sultans in order to track their widening claims of authority across the Mediterranean as well as their actual power, as expressed through progressive institutionalization of diplomacy (Chapter 7) and long-distance diplomatic activity involving minorities (Chapter 8).

[276] Anderson, "Islamic Spaces", 103.

Chapter 4: Implications of Peace-Making for Minority Conditions

i. Introduction

The next major disruption following the Norman and Seljuk invasion was the First Crusade, which brought western Christians in close contact with a variety of rulers and communities in the East. As discussed in Chapter 1, the first crusaders were not amenable to negotiating with their proclaimed enemies, except when insurmountable obstacles necessitated discussion and compromise. In time, the complexity of negotiations increased and as more parties entered into negotiations more frequently. The crusaders came to rely on local Muslim rulers and Muslim non-elites for their survival in the post-Seljuk political environment. Eventually, negotiations between Latin Christians and Muslims came to include subjected minorities.

The most apparent evidence for Frankish and Muslim engagement in the shared minority discourse in the context of diplomatic activity stems from truces that positively affected minorities, who acquired privileges or enjoyed special protections in the process. The promise of the Muslim ruler of Tripoli to release "those of our people that he held as captives" in exchange for a truce in 492/1099 is an early example of the beginnings of Frankish involvement in this discourse.[277] These Christians were certainly townspeople targeted as a form of retaliation or held as security against the potential depredations of the crusaders and may have included captured Franks as well.[278] If these captives were Tripolitans, it can be said that they benefitted from the agreement even though they had

[277] *quos de nostro populo detinebat captivis*… William of Tyre, *Chronicon*, 7.21 (I: 371); my translation.
[278] William of Tyre does not tell us who these captives were or why they were take captive.

not aided the first crusaders. Nevertheless, the plight of Christians under Islamic rule mattered to the Franks because participation in the shared minority discourse was closely linked to authority and to their self-image as pious defenders of the eastern churches. In another instance, William of Tyre explicitly states that Baldwin I "added greatly to his prestige" by recovering Christian hostages following the conquest of Edessa.[279] In this chapter, I demonstrate just how ubiquitous this pattern was during the 200-year period of Frankish-Muslim contact in the East, with reference to a long series of diplomatic agreements and the specific political context in which these agreements were made. Furthermore, it is my contention that the Franks and Muslims realized the potential political and symbolic gains of involving minorities—not just prisoners—in their negotiations at nearly every opportunity.

ii. Terms and Definitions

Frankish and Muslim leaders can be documented as having concluded more than 200 diplomatic agreements of various types over the course of the sixth/twelfth and seventh/thirteenth centuries.[280] In modern parlance, "treaty" would serve as a convenient umbrella term for describing an array of Frankish-Muslim agreements. But no permanent agreement could legally be concluded between Christians and Muslims according to both canon law and Sharīʿa, which is why some scholars prefer to avoid applying the modern

[279] William of Tyre, *Chronicon*, 4.5 (I: 239); trans. Babcock, Krey, *Deeds*, I: 194.
[280] The figure is based on my survey of truces (see Appendix F) and does not include basic safe-conducts or safe-passages. Cf. Friedman, "Gestures of Conciliation", 31 and "Peacemaking Perceptions", 229, who counts 120 agreements.

concept of a "treaty" to the period in question.[281] I therefore limit my use of the term 'treaty' to commonly referenced agreements concluded between Christians and Muslims, such as the Treaty of Tudmir or the Treaty of Jaffa.

Medieval chroniclers and those involved in drawing up agreements made some distinctions, though the terms for some agreements overlapped. Arabic terms include *ʿahd* or *ʿuhūd* (pact), *hudnā*/*muhādana*/*ʿaqd al-muhādana* (truce), and *ṣulḥ* (peace, or settlement[282]). The Latin terms include *indutia* (truce), *foedus* (alliance), *pactum* and *treuga* (agreement). In the following section, I am less concerned with the technicalities of these terms. Instead, I focus on examples of specific agreements that impacted minorities. The Franks and Muslims did not determine a typology of agreements on the basis of whether or not they affected minorities, but I am most interested in this very aspect as a defining feature of Frankish-Muslim negotiations in this period.

Two other types of agreement merit special attention since they were specifically designed to protect minorities: the safe-passage (Ar. *amān*; Ln. *exitus salvus*) and the safe-conduct (Ar. *amān* again; Ln. *conductus securus*). Either could be tied to a general truce or stand on its own.[283] Modern historians differentiate between safe-conduct and safe-

[281] According to legal-*siyāsa* treatises such as al-Māwardī's *Al-Aḥkām al-sulṭānīya wa-al-wilāyāt al-dīnīya*, truces (*al-amān wa-al-muhādana*) were to be concluded only with the permission of the *imām* (i.e. the caliph) and were not to last longer than ten years, based on the Sunna. Simple cease-fires (*ʿaqd al-muhādana*) were to last no longer than four months, based on a Qurʾān passage. Al-Māwardī uses the whole range of terms indiscriminately to describe agreements in the relevant passages. Abū al-Ḥasan ʿAlī ibn Muḥammad ibn Ḥabīb al-Māwardī, *Al-Aḥkām al-sulṭāniyya wa-al-wilāyāt al-dīniyya*, ed. Aḥmad Mubārak Baghdādī (al-Manṣūra: Dār al-Wafāʾ, 1989), pp. 69-70; trans. Wafaa H. Wahba, *The Ordinances of Government: A Translation of Al-Aḥkām al-Sulṭāniyya wa-al-Wilāyāt al-Dīniyya* (London: Garnet Publishing Limited 1996), pp. 55-6. See also Holt, "Qalāwūn's Treaty", 803; Holt, *Mamluk Diplomacy*, 3-4; Fattal, *Statut legal*, 71; Drocourt, "Overview", 40-1.

[282] Frede Løkkegaard, "The Concepts of War and Peace in Islam", in *War and Peace in the Middle Ages*, ed. B. P. Maguire (Copenhagen: C. A. Reitzels Forlag, 1987), pp. 269.

[283] See the discussion in Hans E. Mayer, « Une Lettre De Sauf-Conduit d'un Roi Croise de Jerusalem à un Marchand Musulman (1156/1163) », in *La présence latine en Orient au Moyen Âge*, eds. Ghislain Brunel, Marie-Adélaïde Nielen, avant-propos de Marie-Paule Arnauld (Paris: C. H. A. H./Champion, 2000), p. 29.

passage, reserving the latter for travel in times of hostility.[284] In this thesis, I use both terms and I reserve safe-conduct for situations in which there is explicit evidence for escorts accompanying travellers. As I demonstrate in Chapter 6, the stipulations in any of the agreements named above developed from simple models into more complex instruments, reflecting the degree of complexity of the shared minority discourse at certain points in time and the innovative solutions that rulers devised to project their authority. For current purposes, I consider as minorities any persons or communities inhabiting Christian and Muslim domains as townspeople or agriculturalists, merchants and diplomats travelling under safe-passage or safe-conduct, and captives, prisoners, and hostages; these groups often figured in Frankish-Muslim negotiations, even if they were not engaged in military activity.

iii. Protections Granted by Frankish and Muslim Rulers to Confessional Minorities

The first crusaders perpetrated several massacres at Maʿarrat al-Nuʿmān in 492/1098, Jerusalem in 492/1099, Haifa and Caesarea in 494/1101, Acre in 497/1104, Tripoli in 502/1109, and Beirut in 503/1110.[285] Their successors soon realized the dire

[284] James Kraska, "Safe Conduct and Safe Passage", in *Max Planck Encyclopedia of Public International Law*, ed. Rüdiger Wolfrum. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1876713.

[285] On Maʿarrat al-Nuʿmān, see: Barber, Bate, *Letters*, 34; Ibn al-Qalānisī, *Tārīkh Dimashq*, 222; trans. Gibb, *Damascus Chronicle*, 47; William of Tyre, I: 310-1; Abū al-Muẓaffar, *Mirʾāt al-zamān*, trans. McGuckin de Slane, *Extraits*, 517 (Jewett's edition begins with the year 495 H.); Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 142 [p. 506]; trans. A.-C. Barbier de Meynard, *Chronique d'Alep*, in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'acadèmie des inscriptions et belles-lettres, Vol. 3 (Paris: Imprimerie nationale, 1884), pp. 586-7; on Jerusalem, see: Barber, Bate, *Letters*, 35-6; Ibn al-Qalānisī, *Tārīkh Dimashq*, 222; trans. Gibb, *Damascus Chronicle*, 47-8; Ibn al-Athīr, *Al-Kāmil*, X: 283-4; trans. Richards, *Chronicle*, I: 21; Abū al-Muẓaffar, *Mirʾāt al-zamān*; trans. McGuckin de Slane, *Extraits*, 517, 520; Tāj al-Dīn Muḥammad ibn Muyassar, *Tārīkh Miṣr*, ed. Henri Massé, *Annales d'Égypte* (Cairo: Imprimerie de l'Institut français d'archéologie orientale, 1919), p. 39; trans. *Extraits d'Ibn Moyesser*, in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'acadèmie des inscriptions et belles-lettres, Vol. 3 (Paris: Imprimerie nationale, 1884), p. 463; and the discussion in Gil,

consequences of depopulation. They allowed Jews and Muslims to remain as subjects in their domains, with the exception of the city of Jerusalem.[286] In some cases, they even encouraged Muslims who had emigrated in the wake of the crusade to return to their former lands to cultivate them for the Franks.[287] Very little is known about how Muslims experienced the protection and patronage of the Franks and how, as a result, the mobility of these or other Muslims was either ameliorated or adversely affected by their residence under Frankish rule. These questions are closely linked to understanding the perspectives of non-elites but also necessitate understanding the claims of authority made during Christian-Muslim negotiations.

As discussed in Chapter 3, I have found no evidence for capitulation treaties issued by Frankish rulers to Muslim inhabitants, similar to the charters and treaties (Ct. *pactes*) issued by James I of Aragon, which promised protections to Mudéjars.[288] We know that a Muslim *qāḍī* governed the town of Jabala in the Principality of Antioch for the Franks and that the Franks also appointed a handful of Muslim *ruʾasāʾ* (sing. *raʾīs*; Ln. *rayses*) to govern several villages in the Latin Kingdom. In the first instance, the presence of a *qāḍī* may imply the existence of a *sharīʿa* court and, by extension, legal autonomy. Or *qāḍī* may have been

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Palestine, 827-8, 833 and Murray "Demographics", 212-4; on Haifa and Caesarea, see: Abū al-Muẓaffar, *Mirʾāt al-zamān*; trans. McGuckin de Slane, *Extraits*, 524; on Acre: Prawer, *Latin Kingdom*, 42, 60-1, 118, 258ff, 270ff; Tripoli: Abū al-Muẓaffar, *Mirʾāt al-zamān*, 8, 17; trans. McGuckin de Slane, *Extraits*, 527, cf. 536; Ibn Taghrī Birdī, *Al-Nujūm al-zāhira*, 177; trans. *Extraits*, 489-90; and on Beirut: Ibn al-Qalānisī, *Tārīkh Dimashq*, 268-9; trans. Gibb, *Damascus Chronicle*, 100; William of Tyre, *Chronicon*, 11.13 (I: 515-6); trans. Babcock, Krey, *Deeds*, I: 484-6; Phillips, "Latin East", 112; Prawer, *Latin Kingdom*, 42-3, 93; Prawer, *Crusader Institutions*, 85-6.

[286] It appears, however, that Muslims were admitted to the hospital in Jerusalem. See Benjamin Z. Kedar, "A Twelfth-Century Description of the Jerusalem Hospital" in *The Military Orders II: Welfare and Warfare*, ed. Helen Nicholson (Aldershot: Ashgate, 1998), pp. 3-26, translated as "The Jerusalem Hospital" in *Medieval Medicine: A Reader*, ed. and trans. Faith Wallis (Toronto: University of Toronto Press, 2010), pp. 473-7; Riley-Smith, "Government and the Indigenous", 123.

[287] Mayer, "Latin Kingdom", 180; Joshua Prawer, *Crusader Institutions* (Oxford: Clarendon Press, 1980), p. 202; Kedar, "Subjected Muslims", 143-46; Prawer, "Social Classes", 61-2.

[288] Jaume I, *Llibre dels fets*, eds. Antoni Ferrando, Vicent Josep Escartí (Barcelona: Editorial Afers, 1995), p. 143; trans. Damian J. Smith, Helena Buffery, *The Book of Deeds of James I of Aragon: A Translation of the Medieval Catalan Llibre dels fets* (Burlington: Ashgate, 2003), pp. 173-4.

used as a customary title for a non-Christian appointed to govern a town or fortified centre. Abū al-Maḥāsin only tells us that "there was… a *qāḍī* governing (*yaḥkum*) among them." It is also possible that Muslim administrators requested and obtained privileges for their communities in the form of charters that may have been destroyed during the Mamlūk conquests.[289] The Latin documentary evidence to reflect the framework uncovered in Chapter 3 simply does not exist, so I focus on other types of legal instruments that applied to specific situations whence we may extrapolate on the situation of Muslims in more general terms.

In contrast, charters issued by Muslim rulers to Christian communities do exist. Some date to the sixth/twelfth and seventh/thirteenth centuries, but the Mamlūks (and Ottomans) appear to have been particularly active on this front, if the survival of the evidence reflects reality. Christian Müller and Johannes Pahlitzsch have examined the privileges granted and renewed by the Mamlūk sultan Baybars to the Georgian Monastery of the Holy Cross in Jerusalem, and Mamlūk charters exist for the Monastery of St. Catharine's at Sinai as well.[290] The case of the Monastery of the Holy Cross is particularly relevant here because Baybars' policies towards the community shifted in conjunction with

[289] On the loss of documents, see Riley-Smith, "Government", 126.

[290] *Checklist of Manuscripts in St. Catherine's Monastery, Mount Sinai*, ed. Kenneth W. Clark (Washington, D. C.: Library of Congress, 1952), pp. 38-9 (s.v. "Arabic Firmans"); *Die mamlukischen Sultansurkunden des Sinai Klosters*, ed., trans. Hans Ernst (Wiesbaden: Otto Harrasowitz, 1960); Hans Robert Roemer, "The Sinai Documents and the History of the Islamic World: State of the Art--Future Tasks", in *Studia Arabica et Islamica: Festschrift for Iḥsān ʿAbbās on his Sixtieth Birthday/Dirāsāt ʿArabīya wa-Islāmīya muhdā ilā Iḥsān ʿAbbās bi-munāsabat bulūghihi al-sittīn*, ed. Wadad al-Qadi (Beirut: American University in Beirut, 1981), pp. 381-91; all cited in Northrup, "Sultan Al-Manṣūr Qalāwūn", n. 160 (p. 458); idem, *Slave to Sultan*, n. 313 (p. 59). See also Murād Kāmil, *Catalogue of all Manuscripts in the Monastery of St. Catharine on Mount Sinai* (Wiesbaden: Otto Harrassowitz, 1970), p. 163-66 (s.v. "Decrees"); Northrup, "Sultan Al-Manṣūr Qalāwūn", 77; idem, *Slave to Sultan*, 180; Frédéric Bauden, "Mamluk Era Documentary Studies: The State of the Art", *Mamlūk Studies Review* 9 (2005): 38-41.

his political relations with the Christian kingdom of Georgia (see Chapter 8).[291] In other cases, the relations between the Mamlūks and non-Muslim communities depended more heavily on how they presented themselves as ideal Muslim rulers to their own co-religionists.[292]

There is relatively more abundant evidence for the movement of Jewish and Muslim pilgrims and merchants in the Kingdom of Jerusalem (in this case the evidence is scant for the Islamic side). Hans Mayer draws on the work of several scholars in stating that travel for Muslim merchants between Frankish and Muslim centres was "not rare".[293] The evidence on Muslims travelling through Frankish domains is nonetheless scarce and comes from a few isolated and anecdotal cases. Rather than assessing the volume of Muslim trade or the frequency of Muslim travel, I focus on documented cases of travel, which can reveal details on possible restrictions to freedom of movement for Muslims in general and on the specific circumstances faced by Muslim travellers in Frankish territories in specific contexts.

William of Tyre observed merchants from Egypt bringing "treasures and goods that were unfamiliar" during a truce with the Fāṭimids in the mid-560s/late 1160s.[294] William's unfamiliarity with the merchandise could suggest that commerce with Egypt specifically was less common. But it is more likely that the merchandise arriving from Egypt appeared

[291] Christian Müller, Johannes Pahlitzsch, "Sultan Baybars I and the Georgians—In the Light of New Documents Related to the Monastery of the Holy Cross in Jerusalem", *Arabica* 51.3 (2004): 275-80, esp. 278.
[292] See Thorau, *Lion of Egypt*, 227; cf. Hillenbrand, *Islamic Perspectives*, 416.
[293] See Mayer, « Sauf-conduit », n. 4, who cites several studies; Robert Irwin, "The Supply of Money and the Direction of Trade in Thirteenth-Century Syria", in *Coinage in the Latin East*, eds. Peter W. Edbury, D. M. Metcalf (Oxford: Oxford University Press, 1980), pp. 73, reprinted in Robert Irwin, *Mamluks and Crusaders* (Aldershot: Ashgate, 2010); and Northrup, *Slave to Sultan*, 281-2. See also Subhi Labib, "Egyptian Commercial Policy in the Middle Ages", in *Studies in the Economic History of the Middle East*, ed. M. A. Cook (London: Oxford University Press, 1970), pp. 66, 71.
[294] *...inferentes divitias, commercia nostris incognita secum trahentes...* William of Tyre, *Chronicon*, 20.10 (II: 924); my translation. See also 19.31 (II: 907), trans. Babcock and Krey, II: 341; Friedman, "Peacemaking Perceptions", 237, 249-50.

novel to him, as he had returned in the early 560s/mid-1160s from a lengthy visit to Europe.[295] Egyptian merchants may have been back in Acre in 580/1184, if there is a kernel of truth in a popular Arabic folktale.[296] A Muslim from the hinterland of Nablus delivered grain to the Coastal Plain prior to 583/1187, but this was most likely a routine shipment of tax paid in kind.[297] We cannot ascertain whether the deliverer was really a merchant in any capacity. Further examination of possible trade routes and the commodities habitually exchanged between Franks and Muslims in the East could suggest additional avenues for investigating merchant safe-conducts.

The terms of a truce concluded between Count Raymond of St. Gilles and "Fakhr al-Mulūk" ("Glory of Kings") Riḍwān ibn Tutush ibn Alp Arslān, the ruler of Tripoli, in 498/1104 included safe-passage for "goods and travellers", presumably with reference to any and all merchants carrying the aforementioned goods.[298] And the truce concluded between Richard I and Ṣalāḥ al-Dīn in 588/1192 similarly dictated conditions conducive to safe travel as "a good many Muslims went to Jaffa in search of trade", according to the sultan's Qāḍī al-ʿAskar (Judge of the Army), Abū al-Maḥāsin Bahāʾ al-Dīn ibn Shaddād (539-632/1145-1235).[299] A proclamation of safe-passage was even announced publicly: "Any person from their lands who wishes to enter ours may do so and any person from our lands

[295] Peter Edbury, John G. Rowe, *William of Tyre: Historian of the Latin East* (Cambridge: Cambridge University Press, 1988), p. 13 on William's travel to Europe.
[296] The tale is about an Egyptian merchant who falls in love with a Frankish woman in Acre. Jean Varsy, "Anecdote des Croisades", *Journal Asiatique* 16 (1850): 75-92; Robert Irwin, "The Image of the Byzantine and the Frank in Arab Popular Literature of the Late Middle Ages", *Mediterranean Historical Review* 4.1 (1989), n. 26 (p. 241).
[297] Ḍiyāʾ al-Dīn, *Al-Ḥikāyāt*, f. 97a (p. 126), trans. Talmon-Heller, "*Cited Tales*", 147.
[298] Ibn al-Qalānisī, *Tārīkh Dimashq*, 238; trans. Gibb, *Damascus Chronicle*, 68; Abū al-Muẓaffar, *Mirʾāt al-zamān*, 8; trans. McGuckin de Slane, *Extraits*, 528.
[299] *Wa-dhahaba jamāʿa min al-Muslimīn ilā Yāfā fī ṭalab al-tijāra*… Abū al-Maḥāsin, *Al-Nawādir*, 236; trans. Richards, *Excellent History*, 232.

who wishes to enter theirs may also do so."[300] Abū al-Maḥāsin's account makes the event seem atypical, and it is possible that the Third Crusade caused enough of a disruption in major trade routes to merit the explicit proclamation of a general safe-passage. On his route from Damascus to Acre, Ibn Jubayr noted that merchants could travel between Frankish and Muslim centres despite ongoing military campaigns. His account is itself testimony to the ability of Muslims to travel, though it must also be read in the immediate context of its author's itinerary (see below). Jacques de Vitry, too, could only travel in certain districts at certain times. He sometimes required an escort.[301]

Except for the Truce of Jaffa, most of the cases above relate to Muslims travelling in Frankish domains, reflecting a bias in the sources, or in the survival of the sources. Yet the temporal distribution of these cases provides enough information to suggest a pattern that could have applied to Muslim and Frankish (or other[302]) merchants and travellers. In all cases, the travellers identifiable as merchants passed through Frankish territories after the conclusion of peace terms: in 564/1168, 580/1184, and 588/1192. The accounts of Jewish travellers may also fit the pattern. For example, Benjamin of Tudela's voyage through the Holy Land is datable to the years 564-5—566-7/1169-1171.[303] Warfare and raiding activity may have similarly limited the possibilities of movement for Joseph ben Isaac, a Jewish pilgrim who composed a rhyming poem recounting his pilgrimage route, to c. 564-567/1169-1170; c. 574-577/1179-1181, a period of ceasefire between the Latin Kingdom

[300] *A-lā inna al-ṣulḥ qad intaẓẓam, fa-man shā'a min bilādihim yadkhul ilā bilādnā fa-al-yafʿal, wa-man shā'a min bilādna yadkhul ilā bilādihim fa-al-yafʿal.* Abū al-Maḥāsin, *Al-Nawādir*, 235; trans. Richards, *Excellent History*, 231.

[301] Jacques de Vitry, *Epistulae*, nr. 2 (pp. 90, 92, 96); trans. Barber, Bate, *Letters*, 104, 105, 108.

[302] The evidence from the Ottoman period attests to widespread networks of Armenian and Italian merchants in the Near East. My overall impression for this period is that Amalfitan, Genoese, Pisan, and Venetian merchants limited their activities to the Levantine ports.

[303] Benjamin of Tudela, *The Itinerary of Benjamin of Tudela*, trans. Marcus Nathan Adler (Malibu: Joseph Simon, 1983), p. 20.

and the Ayyūbids; or 578-580/1183-1184.[304] The evidence suggests that voyages such as Ibn Jubayr's were not common; they occurred only in specific situations that were conducive to safe travel.

The first truce mentioned above, that of 564/1168, followed a period of tension between the Franks and Zengids. In Rabīʿ al-Awwal 564/December 1168, the Zengid sultan of Aleppo and Damascus, Nūr al-Dīn Maḥmūd ibn Zengi (541-569/1146-1174), sent reinforcements to Egypt in response to a request from the Fāṭimid palace during the first siege of Cairo by the Franks. While the Syrian troops struck camp near Cairo, the Fāṭimid *wazīr* Shawār ibn Mujīr al-Saʿdī came to an understanding with the Franks to forestall Zengid intervention.[305] Ibn al-Athīr, however, omits any mention of negotiations between the Franks and Zengids.[306] He states simply that "the Franks departed, returning to their own lands, disappointed of their hopes" once Nūr al-Dīn's deputy, Asad al-Dīn Shīrkūh, arrived near their camp.[307] The Franks and the Zengids certainly undertook negotiations at this time for the purpose of concluding a truce and exchanging prisoners, as they had done in an earlier truce of 559/1164 and they would do so again in 565/1170.[308] Terms may have included safe-passage for merchants and others, as was the case with the Treaty of Jaffa, concluded in 588/1192.

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[304] Cf. Prawer, *Latin Kingdom*, 176-8.
[305] Köhler, *Allianzen und Verträge*, 257-9; Eddé, *Saladin*, 43.
[306] Ibn al-Athīr, *Al-Kāmil*, XI: 337-8; trans. Richards, *Chronicle*, II: 173-4; idem, *Al-Tārīkh al-bāhir fī al-Dawla al-Atābakīya bi-al-Mawṣil*, ed. ʿAbd al-Qādir Aḥmad Ṭulaymāt (Cairo: Dār al-Kutub al-Ḥadītha, 1963), pp. 138-9; trans. *Histoire des atabecs de Mosul*, in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'académie des inscriptions et belles-lettres, Vol. 2.2 (Paris: Imprimerie nationale, 1876), pp. 248-9.
[307] *…raḥala al-Firanj ilā bilādihim, bi-khafīy ḥanīn khā'ibīn mimmā amalū*. Ibn al-Athīr, *Al-Kāmil*, XI: 338; trans. Richards, *Chronicle*, II: 174
[308] Ibn al-Athīr, *Al-Tārīkh al-bāhir*, 121-2, 154-5; trans. *Histoire des atabecs*, 218, 279-80; Abū al-Maḥāsin, *Al-Nawādir*, 43; trans. Richards, *Excellent History*, 46; Ibn al-Athīr, *Al-Kāmil*, XI: 374; trans. Richards, *Chronicle*, II: 200; Richard, *Royaume latin*, 52; Eddé, *Saladin*, 40, 43.

The evidence for travelling Muslims at time of the truce of 580/1184 suggests the same pattern. Ibn Jubayr's passage through the Jawlān occurred only after Ṣalāḥ al-Dīn's successful raids against Frankish centres in the Sawād (O. Fr. Outrejourdain) and the Jund al-Quds (Ln. Samaria) that took place in the summer of 580/1184 and preceded his siege of Mosul in the following year.[309] Ṣalāḥ al-Dīn must have concluded terms with the Franks of Antioch and Jerusalem prior to his assault on Mosul to avoid battle on too many fronts. Yet, many scholars have taken Ibn Jubayr's observations on the movement of Ṣalāḥ al-Dīn's armies as evidence for "porous" medieval borders.[310] In the passage wherein he expresses wonder at the movement of merchants and armies across the frontier, Ibn Jubayr actually refers to Ṣalāḥ al-Dīn's ongoing campaign against the castle of Karak.[311] The sultan had certainly not concluded any truce with its lord, Reynaud de Châtillon, at the time. Thus, the route that Ibn Jubayr traversed was secure due to agreements that covered the Jawlān, while the route through the Jordan had remained dangerous.

The cases surveyed above show that the free movement of Muslim merchants and Jewish pilgrims in Frankish territories coincided with the cessation of hostilities between Frankish and Muslim rulers. Merchants did not cross frontiers in large numbers while military campaigns were ongoing, as may have been the case in the territories declared "no man's lands" by the Teutons and the Livs in the medieval Baltic region (see Chapter 1, section ii). The examples surveyed above should thus be read cautiously as indicators of the shifting commercial networks of the Latin East and measured collaboration between Franks and Muslims. Furthermore, the evidence suggests that the passage of merchants

[309] Ibn al-Athīr, *Al-Kāmil*, X: 9-10; trans. Richards, *Chronicle*, II: 300-1, sub anno 580 H. (1184 AD).
[310] See Chapter 1, section ii.
[311] Ibn Jubayr, *Riḥla*, 272-3; trans. Broadhurst, *Travels*, 314.

was a direct consequence of the terms concluded during peace negotiations. I will return to this point in Chapter 6.

In some cases, the Frankish authorities granted documents of safe-passage to individual Muslims travelling in their domains even if they were carrying merchandise and personal possessions to and from Islamic territories. A document identified by Hans Mayer names the recipient "Bohali filius Hebenescutin" (= Abū ʿAlī ibn Ibn [sic] ʿIzz al-Dīn) and was issued by Baldwin III between 550-1/1156 and his death in 558-9/1163 (see Appendix C).[312] The document is written on parchment in a Caroline minuscule, a script widely used in medieval chanceries, with an opening in elongated majuscule letters. The document thus resembles charters issued during the same period in continental Europe.[313] This was a personalized safe-conduct of the letters-close type, or a "privilège simple", as Mayer calls it. What is interesting about the document is the subject's identification as a "merchant of Tyre".[314] The issuance of this safe-conduct thus indicates that this Abū ʿAlī was a merchant or broker residing in Tyre and that he required special permission to travel to his intended destination (Fāṭimid Egypt). Furthermore, the document extends Baldwin's protection to "all things in his vessel as well as the other merchants and his whole enterprise".[315] The fact that Abū ʿAlī required specific documents of safe-passage may suggest that individual merchants sometimes travelled across frontiers during periods of hostility, if they obtained special clearance. A similar document was issued to Usāma ibn Munqidh, permitting him to bring his family and possessions from Fāṭimid Egypt to Zengid

[312] Berlin Staatsbibliothek Ms. simulata orientalia 6, f. 53r; Mayer, « Sauf-conduit », 34-5.
[313] The document is comparable to a charter issued by Emperor Frederick I in 1157 (Lichtbildarchiv älterer Originalurkunden 6.4.1157) and a charter of King Henry IV issued in 1062 to Ordulf, Duke of Saxony, in the Generallandesarchiv Karlsruhe.
[314] *Bohali filius Hebenesc<u>tin mercatorem videlicet Tyrensem*. Ms. simulata orientalia 6, f. 53r, line 3.
[315] *cum omnibus, qui intus sunt, mercatoribus et cum omni etiam negociatione <sua>*. Ms. simulata orientalia 6, f. 53r, line 4.

Syria via Acre in 549/1154.[316] And King Amaury (c. 558–570/1163–1174) permitted two Muslim ships from Egypt to land at Latakia during a truce with Nūr al-Dīn in 567/1171-2.[317] The latter two safe-passage agreements, however, were broken and invite more detailed treatment (see Chapter 5).

The content of later truces also shows that specific agreements facilitated the movement of merchants and peasants across frontiers. Al-Qalqashandī preserves most of the surviving truces in *Ṣubḥ al-aʿshā fī ṣināʿat al-inshāʾ*; some truces can also be found in Mamlūk chronicles and regnal biographies (see Appendix F for citations). The *Ṣubḥ* contains a truce concluded between Baybars and the Hospitallers in the year 665 (1267 AD), which stipulates that

> merchants and travellers and wayfarers from all of the aforementioned regions be safe-guarded [*yakūnūna āminīn*] from each side: the Islamic side and the Frankish and [Syrian] Christian side, in the countries to which this truce applies, and the sultan and his deputies must protect their persons and their possessions and livestock and whatever pertains to them–and they must observe the peace in the lands included in this blessed truce as well as in the land of partition–from all the Muslims, and the Hospitallers must protect them in their country where the peace is established…[318]

Another truce, concluded by the Mamlūk sultan Qalāwūn (678-689/1279-1290) and the representatives of the Kingdom of Jerusalem in 682/1283, regulated the movement of peasants and required the repatriation of those peasants who had crossed borders prior to the truce:

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[316] Usāma ibn Munqidh, *Kitāb al-iʿtibār*, 34-5; trans. Cobb, *Book of Contemplation*, 43-4. See also Prawer, *Latin Kingdom*, 217, and 218 for a possible case of a safe-passage document issued to a Jewish traveller.
[317] Ibn al-Athīr, *Al-Kāmil*, XII: 374; trans. Richards, *Chronicle*, II: 200.
[318] *Wa-ʿalā anna al-tujjār wa-al-siffār wa-al-mutaraddidīn min jamīʿ hādhihi al-jihāt al-madhkūra yakūnūna āminīn min al-jihatīn: al-jiha al-Islāmīya wa-al-jiha al-Firanjīya wa-al-Naṣrānīya, fī al-bilād allatī waqaʿat hādhihi al-hudnā ʿalayhā ʿalā al-nufūs wa-al-amwāl wa-al-dawwāb wa-mā yataʿallaq bihim, yahmīhim al-ṣulṭān wa-nawwābuhu, wa-yataʿāhadun al-bilād al-dākhila fī hādhihi al-hudnā al-mubāraka al-wāqiʿ ʿalayhā al-ṣulḥ...* Al-Qalqashandī, *Ṣubḥ al-aʿshā*, XIV: 37.

> And it is incumbent to proclaim in the Islamic territories and the Frankish territories included in this truce that whoever was a peasant of the lands of the Muslims must return to the lands of the Muslims irrespective of whether he was Muslim or Christian. Likewise, this applies to whoever was a peasant of the lands of the Franks whether he was Muslim or Christian, so long as he was known to be settled. And whoever does not return after the call shall be driven out by the respective two sides. And the peasants of the lands of the Muslims may not settle in the lands of the Franks included in this truce, and the peasants of the lands of the Franks may not settle in the lands of the Muslims included in this truce; and the return of the peasants from one side to the other shall be carried out under safe-conduct.[319]

These two stipulations (preserved in two separate truces) regulated movement only for a limited period of time, lasting as long as the truce was valid. Once again, the evidence suggests that the mobility of minorities depended on specific diplomatic agreements. In this case peasants were granted safe-passage only to return to their former domiciles—in effect ensuring that their only option would be return.

An agreement with reference to similar terms, though in more rudimentary form, regulated movement during the truce of 580/1184. The evidence once again comes from Ibn Jubayr, who encountered a unique type of border marker near Banyas while on his way to Acre. Ibn Jubayr's informant explained that the marker ("a huge oak tree") was called

> the "tree of equity" [*shajārat al-mīzān*], which was the boundary between safety and danger […] The Frankish freebooters […] murder and cut the throats of whoever they catch beyond this [tree] on the Muslim side, be it by the length of the arms or a span; but he whom they seize on the Frankish side at a like distance, they release.

[319] *Wa-ʿalā anna yunādī fī al-bilād al-Islāmīya wa-al-bilād al-Firanjīya al-dākhila fī hādhihi al-hudnā: innahu man kāna min falāḥī bilād al-Muslimīn yaʿūd ilā bilād al-Muslimīn Musliman aw Naṣrānīyan, wa-ka-dhālik man kāna min falāḥī bilād al-Firanj Musliman aw Naṣrānīyan, maʿrūfan qarārīyan min al-jihatīn, wa-man lam yaʿud baʿda al-munāda yaṭrud min al-jihatīn, wa-lā yumkin falāḥī bilād al-Muslimīn min maqām fī bilād al-Firanj al-munʿaqad ʿalayhā hādhihi al-hudnā, wa-lā falāḥī bilād al-Firanj min al-maqām fī bilād al-Muslimīn allatī inʿaqadat ʿalayhā hādhihi al-hudnā; wa-yakun ʿaud al-falāḥ min al-jiha ilā al-jiha al-ukhrā bi-amān.* Al-Qalqashandī, *Ṣubḥ al-aʿshā*, XIV: 61.

> This is a pact they faithfully observe and is one of the most pleasing and singular conventions of the Franks.[320]

This "tree of equity" could be among the most baffling of border control mechanisms known to humankind (aside from modern border controls). Ronnie Ellenblum considers it "another example of the nonlinear or multi-linear nature of borders which emanates from the ambiguity of the political situation" and adds that Ibn Jubayr related this tree to an agreement between the Franks and Muslims that allowed for simultaneous warfare and civilian safe-passage.[321] In Ellenblum's view, the "Tree of Equity" thus represents the delimiting of warfare to specific locations or military targets, while ensuring safe-passage for Muslims entering Frankish territory ("he whom they seize on the Frankish side… they release") and possibly for Franks travelling through Ayyūbid territories.

It is odd that the agreement, as preserved by Ibn Jubayr, lacks injunctions against the Frankish highwaymen (*ḥārāmīyāt al-Ifranj*). And our Andalusī traveller makes no reference to the monitoring of roads and punishment for crime, which are key elements in the Mamlūk truces.[322] According to his unnamed source, the Franks thus perpetrate violent acts against Muslims on the Islamic side of this boundary without consequence, but they "release" the Muslims on the Frankish side, which also makes little sense. The Franks would not be allowed to raid in Muslim territory without consequence during the truce

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[320] *annahā tuʿrifa bi-Shajarat al-Mīzān* […] *hīya ḥaddun bayn al-amn wa-al-khawf* […] *li-ḥārāmiyyat al-Ifranj, wa-hum al-ḥawwāsa wa-al-quṭṭāʿ, man akhadhūhu warāʾhā ilā jihat bilād al-Muslimīn wa-law bi-bāʿ aw shibr usir, wa-man ukhidha dūnihā ilā jihat bilād al-Ifranj bi-qadr dhālik uṭliqa sabīluhu li-hum fī dhālik ʿahd yūwaffūn bihi wa-huwa min aẓraf al-irtibāṭāt al-Ifranjiyya wa-aghrabuhā*. Ibn Jubayr, *Riḥla*, 273; trans. Ronnie Ellenblum, "Were there Borders and Borderlines in the Middle Ages? The Example of the Latin Kingdom of Jerusalem", in *Medieval Frontiers: Concepts and Practices*, eds. David Abulafia, Nora Berend (Aldershot: Ashgate, 2002), p. 114, cf. Broadhurst, *Travels*, 314-5.

[321] Ellenblum, "Borders", 114; see also Ralph W. Brauer, "Boundaries and Frontiers in Medieval Muslim Geography", *Transactions of the American Philosophical Society* 85.6 (1995): esp. 5, see also 13, 28, n. 47, 42-3, 65.

[322] Northrup, *Slave to Sultan*, 288-9.

with Ṣalāḥ al-Dīn that was then in effect, and the Muslims captured on the Frankish side would certainly be brought back to Islamic territory—as per the stipulations found in the Mamlūk truces with the Franks. It is possible that the Muslims captured in Frankish territory were not "released" or more literally "let on their way" (*uṭliqa sabīluhu*), but were in fact sent back the way they came from. And at no point during this part of the journey did Ibn Jubayr actually witness any raids or banditry.

What the agreement really reflected was a standard truce intended to restrict the movement of Muslim fugitives and to encourage mercantile activity by permitting the movement of Frankish and Muslim merchants between Acre and Damascus.[323] It is possible that individual Franks raided Muslim territory during this period without royal sanction, but this would have been considered a breach of the truce. Furthermore, it is strange that Ibn Jubayr should relate that the Franks "seize" and subsequently "release" Muslims, presumably upon determining their identity. I suggest that by the word "release" Ibn Jubayr means that the Franks were to release Muslim merchants, if identified as such, and *return* Muslim fugitives, peasants in all likelihood, to Ayyūbid territory. This interpretation would align with stipulations on fugitives in the Truce of Jaffa and the later Frankish-Mamluk truces and would resolve the nonsensical aspects of Ibn Jubayr's observation.

[323] Robert Irwin considers the Acre-Damascus corridor of secondary commercial importance, compared to the north-south Levantine route. Irwin, "Supply of Money", 83-4; see also Heyd, *Commerce du Levant*, I: 384-5, cited in Northrup, *Slave to Sultan*, n. 162 (p.281).

iv. Case-Study: Ṣalāḥ al-Dīn's Treatment of Subjected Franks and Frankish Prisoners

In general, the frequency of Frankish breaches of truces and safe-passages in the first half of the sixth/twelfth century contrasts with the tendency of Muslim rulers to honour agreements.[324] Christian, Islamic, and Jewish sources attest to the exceptional generosity of the Ayyūbid sultan Ṣalāḥ al-Dīn, who even earned a reputation in medieval Europe for his displays of magnanimity towards the Franks.[325] For example, Ibn al-Athīr recounts that the sultan granted the Franks of Latakia permission to remain in their town after their surrender to his army in 584/1188. They were to remain under Muslim rule in exchange for payment of the *jizya*, of course. The commander of a Sicilian fleet that lay at anchor near the town was impressed by Ṣalāḥ al-Dīn's mercy and requested a meeting in which he warned the sultan of an imminent crusade.[326] The story is implausible and recalls many contemporaneous and later tall tales about the sultan. Ibn al-Athīr's claim that Ṣalāḥ al-Dīn allowed Frankish Christians to remain under Muslim rule recalls the same chronicler's observations on the sultan's tendency to release Frankish town garrisons.[327] Ibn al-Athīr emphasizes one of several implications of the sultan's policy, namely that he endangered Islam by allowing the Franks to regroup and sustain the hope of reconquering their towns.

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[324] Examples abound in Ibn al-Athīr's *Al-Kāmil*. See notable cases in XI: 468, 483-4; trans. Richards, *Chronicle*, II: 274, 284. See also Northrup, "Muslim-Christian Relations", 256 for a display of restraint on Qalāwūn's part.
[325] Tolan, *Sons of Ishmael*, 80. Tales of his exploits still circulate among Arabic-speakers today. During a visit to Nazareth in 2018 organized by the University of Haifa, Nouha Boulos, who was then a graduate student at the university, shared a folktale with me about Ṣalāḥ al-Dīn's visit to the Hospitaller Compound (in Acre?) in disguise to verify the exceeding magnanimity of Hospitallers. The sultan was impressed that they would help anyone in need, even when he asked for the heart of the Grand Master's horse to treat his own ailment. The sultan rewarded the Hospitallers generously for the Grand Master's willingness to comply. Personal conversation. 3 February 2018.
[326] Ibn al-Athīr, *Al-Kāmil*, XII: 9-10; trans. Richards, *Chronicle*, II: 346-7.
[327] See Eddé, *Saladin*, 16.

Ambroise, a Norman cleric in the retinue of Richard I, recounts how an archbishop also requested a meeting with the sultan following the Third Crusade. In this meeting, the archbishop requested that "two of our Latin priests, with two deacons to support them, would every day, evening and morning, worship with the Syrians (i.e. Eastern Christians) and that they would live off the offerings" at the Holy Sepulchre in Jerusalem and at the churches of Bethlehem and Nazareth.[328] The sultan granted the archbishop's request (according to Ambroise). This encounter recalls a similar episode found in Ibn al-Shaddād's regnal history. He recounts a meeting between Ṣalāḥ al-Dīn and an envoy of Richard I, who conveyed the king's desperate appeal: "Monks and sectarians have requested churches from you and they were not treated parsimoniously. I too request from you a church."[329] Richard undoubtedly refers to the Holy Sepulchre in this account, which was among the pilgrimage sites included in the Truce of Jaffa.

Most of these accounts exaggerate the sultan's generosity; they are embellishments that must be read with caution. Ibn al-Athīr's story of the Sicilian admiral's meeting with Ṣalāḥ al-Dīn is one of many instances in *Al-Kāmil* in which the chronicler records speeches that he was not present to hear. Ibn al-Athīr, therefore, could have relied on rumour and hearsay and used such accounts to voice his recurrent critique of the sultan.[330] The dubiousness of Ibn al-Athīr's account is also suggested by comparison to Abū al-Maḥāsin's version, in which the Frankish inhabitants of Latakia were only granted safe-passage to

[328] Ambroise, *Estoire de la guerre sainte*, trans. Marianne Ailes, *The History of the Holy War: Ambroise's Estoire de la guerre sainte*, eds. Marianne Ailes, Malcolm Barber (Woodbridge: Boydell Press, 2003), I: 196; trans. II: 191.
[329] *Inna jamāʿa min al-rahbān wa-al-munqaṭiʿīn qad ṭalabū minkum kanāʾis fa-mā bukhilat ʿalayhim bihā. Wa-ana aṭlub minkum kanīsatan*. Abū al-Maḥāsin, *Al-Nawādir*, 219. My translation.
[330] In other cases, Ibn al-Athīr expresses doubt over the reliability of his sources by saying "another version goes…" or "God knows best".

leave the city on their mounts and with their personal possessions.[331] Ibn al-Athīr was not tied to Ṣalāḥ al-Dīn's court, as Abū al-Maḥāsin was, and he exercised less restraint when criticizing the sultan. His criticism of Ṣalāḥ al-Dīn's tendency to release Frankish prisoners becomes more frequent towards the end of his account of the sultan's career.[332]

Nevertheless, Ṣalāḥ al-Dīn did grant the Franks permission to maintain canons of the Latin rite in Jerusalem and he permitted Christians to undertake pilgrimage to holy sites, perhaps in imitation of Fāṭimid concessions during the First Crusade.[333] Abū al-Maḥāsin also claims that Ṣalāḥ al-Dīn granted Count Bohemond III of Antioch possession of the Plain of ʿAmiq north-east of Antioch after he had simply put in a request for it.[334] There is no doubt that the count offered something in return and that Ṣalāḥ al-Dīn granted him only a portion of its revenues. In recording such acts of generosity, Abū al-Maḥāsin's aim was emphasizing the sultan's chivalric quality and his magnanimity towards every guest and supplicant "even if he were an infidel".[335]

Actually, both Abū al-Maḥāsin and Ibn al-Athīr provide no reason for the sultan's generosity and it is possible that they did not perceive the rationale of the sultan's strategy or the complexity of his political circumstances. Only in a rare instance does Abū al-Maḥāsin suggest that the sultan engaged in dissimulation in his protracted negotiations

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[331] Abū al-Maḥāsin, *Al-Nawādir*, 90; trans. Richards, *Excellent History*, 84.
[332] Ibn al-Athīr, *Al-Kāmil*, XI: 555-6, XII: 7-8, 23, 27-8, 32; trans. Richards, *Chronicle*, II: 337, 345-6, 356, 360, 363. A nearly identical concession was granted to the Venetian protectorate of Jerusalem by the Ottoman sultan in 1013/1604-5. Daniel Goffman, *The Ottoman Empire and Early Modern Europe* (Cambridge: Cambridge University Press, 2002), p. 169.
[333] Abū al-Maḥāsin, *Al-Nawādir*, 236; trans. Richards, *Excellent History*, 233. Richard demanded that the sultan only allow those carrying Richard I's seal—another reference to documents of safe passage—to travel to Jerusalem but it is not clear that the sultan acquiesced. For Christian pilgrims who were granted safe passage by the Fāṭimids, see William of Tyre, *Chronicon*, 7.19 (I: 367); trans. Babcock, Krey, *Deeds*, I: 326.
[334] Abū al-Maḥāsin, *Al-Nawādir*, 31; trans. Richards, *Excellent History*, 35; Balázs Major, *Medieval Rural Settlements in the Syrian Coastal Region (12th & 13th Centuries)* (Oxford: Archaeopress Publishing Ltd., 2015), p. 34.
[335] *wa-kāna yukarrim al-wāfid ʿalayhi wa-in kāna kāfiran.* Abū al-Maḥāsin, *Al-Nawādir,* 31; trans. Richards, *Excellent History*, 35. See also 90-1; trans. Richards, 84-5.

with Richard.[336] His image of the sultan is one that combines sincerity with a sense of chivalric duty.[337] However, it is my contention that the sultan pursued "lenient" policies towards conquered and subjected Franks for specific purposes and not only out of clemency or expediency. The first reason that comes to mind is a concern for how the Franks treated Muslim captives. By releasing Frankish prisoners, it is possible that the sultan obliged the Franks to reciprocate in a type of "ransom exchange" involving prisoners instead of gifts, a strategy that Ibn al-Athīr may have overlooked. There was also one instance in which the sultan bestowed costly furs on a group of captive Frankish knights that he did not release, at least not at that time.[338]

It is difficult to overstate the implications of such gestures for the legitimacy and honour of rulers. The many instances of gift-exchange between Richard and Ṣalāḥ al-Dīn could be studied in great detail to draw insight on the contest of honour between the two rulers, but I will limit my analysis to cases involving prisoners and minorities, which, as I suggest above, should be understood as a form of exchange. The sultan's extravagant gifts to Frankish captives, the protections that he granted to Latin canons, and his concessions of partitioned revenues all propped his authority and extended his patronage over Christians, whilst challenging the authority of the Frankish nobility, who were either unable or unwilling to reciprocate. As Marcel Mauss states, pre-industrial gift-exchange (which can include services) occurs between groups and the lack of engagement by individuals means the indebtedness and dishonour of those individuals and their kin-group.[339] In the case of

[336] See Abū al-Maḥāsin, *Al-Nawādir*, 235; trans. Richards, *Excellent History*, 231-2.
[337] Eddé, *Saladin*, 15.
[338] Abū al-Maḥāsin, *Al-Nawādir*, 151; trans. Richards, *Excellent History*, 139-40. These prisoners were taken to Damascus, where the non-elite among them might have been sold into slavery.
[339] Mauss, « Essai sur le don », 36, 50-3, 93-4, 150-1, 165, 174. See also Pierre Bourdieu, *Esquisse d'une théorie de la pratique : précédé de trois études d'ethnologie kabyle* (Paris: Édition du Seuil, 2000), pp. 25, 31.

the Ayyūbids and Franks, the inability of the Frankish nobility or Frankish captives to reciprocate left them in a position of dependence and rendered *all* the Franks lower in status to the Muslims and to the Ayyūbid clan in particular.

v. Conclusions

Negotiations between elites invariably had an impact on the daily life, status, and conditions of confessional minorities, including non-combatants and captive soldiers. On the one hand, certain kinds of agreements were designed specifically to facilitate the movement of persons not tied to any land, such as merchants, and to hinder the movement of permanently settled persons, such as peasants. In other cases, truces facilitated the movement of persons not even mentioned in the truce documents, as seen in the case of Jewish merchants and pilgrims. Rulers, like Ṣalāḥ al-Dīn, also took opportunities inherent in negotiations to display magnanimity and authority by granting protection to Christian captives and travellers. In doing so, he assumed the role of protector over the Ahl al-Kitāb, a gesture that would be recognizable to Muslim and Frank alike.[340]

Thus, Ṣalāḥ al-Dīn positioned himself strategically, first, as the ultimate authority for Latin Christians entering or residing in Dār al-Islām, and second, as the representative of the ʿAbbāsid Caliphate to the leading figureheads of western Christianity. He not only captured the imagination of the Latin West but also attracted the attention of the papal

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James Carrier, "Gifts, Commodities, and Social Relations: A Maussian View of Exchange", *Sociological Forum* 6.1 (1991): 122, 129-31.

[340] Ṣalāḥ al-Dīn was also commemorated in Hebrew and Syriac sources as a protector of the Jews and Eastern Christians respectively. See Ibn Abī Uṣaybiʿa, *'Uyūn al-anbā'*, trans. Ephrem-Isa Yousif, *Saladin et l'épopée des Ayyoubides : Chroniques syriaques* (Paris: L'Harmattan, 2010), pp. 106-7 and Eddé, *Saladin*, 17.

curia, which marked a major shift in Mediterranean diplomatic activity (see Chapter 8). Thus, the rumours that Ibn al-Athīr recorded may have originated as testimonials to the sultan's projection of authority. One can imagine the sultan actively cultivating an image of his generosity that challenged and perhaps even humiliated the Franks, who were powerless to challenge his authority and unable to represent their co-religionists living in Ayyūbid territories.[341]

In sum, every truce examined above provided opportunities for rulers to project their authority, which suggests in turn that stipulations on travel were not merely intended to "restrict and control commerce", especially contraband.[342] Rather, the stipulations in agreements also served to demonstrate a ruler's authority through the ability to protect co-religionists abroad and non-co-religionists at home. In the following chapter, I examine the other side of this equation: how reprisals against confessional minorities could serve as a means of challenging and diminishing an enemy ruler's authority.

[341] As Hussein Fancy makes abundantly clear in *The Mercenary Mediterranean*, rulers also expressed authority by assuming positions of patronage over non-co-religionists, as seen in the Aragonese and Hohenstaufen recruitment of Muslim soldiers as royal bodyguards. Hussein, *Mercenary Mediterranean*, 12.
[342] Irwin, "Supply of Money", 81.

Chapter 5: Implications of Ruptures in Frankish-Muslim Relations for Minority Conditions

i. Introduction

The previous chapter focuses on how rulers enunciated and projected their authority by considering the conditions of minorities in their negotiations. In other cases, rulers perceived symbolic and material advantages to breaking agreements, which adversely affected minorities. The passage of Muslims through Frankish domains presented easy short-term gains and opportunities for challenging Muslim authority, and the elites among the Franks were not always in agreement when it came to concluding or upholding agreements. Ensuring consensus among subordinates was therefore always a challenge for the Frankish royal court. For the sixth/twelfth century, the example of the extant safe-passage examined above—one that may never have been used—stands in isolation against several instances of safe-passage breaches. In a handful of known cases, Muslim rulers also targeted local Christian communities, often in retaliation for their real or perceived collaboration with the Franks, or as a result of popular discontent. The Franks came to appreciate the importance of safeguarding subjected Muslims and Muslim travellers by the Mamlūk period and this change in attitude was closely linked to a shift in the power balance between the Frankish kings and the Mamlūk sultans.

In the following analysis, I exclude most acts of violence perpetrated by crusaders on indigenous Christians. Such acts have been treated exhaustively by historians as manifestations of fervour and revenge, and they were also made possible by the Franks' inability to distinguish between local Christians and non-Christians. Some acts of violence

were intentionally committed against local Christians, who were sometimes perceived as collaborators with Muslims. But there is no evidence that the Franks intended their reprisals against local Christians to serve specifically as responses to the actions of Muslim rulers. In other words, there was minimal synergy between Frankish-Muslim diplomacy and the welfare of Eastern Christian minorities living under Frankish rule. The same, of course, is not true in the case of Eastern Christians living under Muslim rulers.

ii. Reprisals against Subjected Minorities in the Sixth/Twelfth Century

The first unambiguous incident of Muslim reprisal against Eastern Christians is described in detail in Kamāl al-Dīn Abū al-Qāsim ʻUmar ibn al-ʻAdīm's *Zubdat al-ḥalab fī tārīkh al-Ḥalab* (*The Cream of the Crop of the History of Aleppo*). The *qāḍī* Abū al-Faḍl ibn al-Khashshāb (d. 518-9/1125), who was incidentally one of the earliest proponents of the *jihād al-Ifranj*, responded to a raid led by Count Joscelin of Edessa (1119-1131) in 517/1123 by sequestering several churches in Aleppo. According to Kamāl al-Dīn, Ibn al-Khashshāb, after having consulted with the town notables, ordered

> that the *mihrab*s of the churches (*maḥārib al-kanā'is*) belonging to the Christians in Aleppo should be destroyed and [that] *mihrab*s should be made for them towards the direction of the *qibla*… and that they should be made into mosques."[343]

The strategy worked for the short-term. However, this act did not deter the Franks from later raids against Aleppo, which presumably left the local Christian inhabitants in dire

[343] *fa-amara al-qāḍī Ibn al-Khashshāb bi-muwāfaqa min muqaddimī Ḥalab an tahdim maḥārīb al-kanā'is allatī li-l-Naṣārā bi-Ḥalab, wa-an yafʻal li-hā maḥārīb ilā jihat* [sic] *al-qibla… wa-tatakhadhdha masājid…* Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 214-5 [pp. 578-9]; trans. Barbier de Meynard, *Chronique d'Alep*, 638; Hillenbrand, *Islamic Perspectives*, 412. Sāmī al-Dahhān's edition has تتَّخذ which should probably be تتخذْ. Barbier de Meynard's rendering is unpointed.

straits. The Franks attacked again in the following year, breaking the truce, and also prevented the Muslims from gathering their share of revenues from partitioned land in 519/1125.[344] We do not know if the Muslim rulers or the populace of Aleppo directed their anger at the local Christians as a result. It is noteworthy that Ibn al-Khashshāb had consulted the "elders" (*muqaddimī*[*n*]), no doubt to assess the legality of attacking the Ahl al-Dhimma.

A similar incident occurred in 578/1182. In that year, Ṣalāḥ al-Dīn undertook campaigns in the Jazīra while the Franks raided the hinterland of Damascus, intending to damage the mosque of Darayā (var. Dārayā; Ln. Daria; 8 km southwest of Damascus). Ṣalāḥ al-Dīn's deputy in Damascus ordered a group of Christian townspeople to approach the Franks and threaten them with the destruction of the city's churches if the Franks carried out their plans. The Franks relented from their attacks.[345] The effectiveness of the policy suggests that the Franks, or at least some of the Franks, had become more sensitive to the plight of Christians living under Muslim overlords in times of hostility. The Franks under Baldwin IV (1174-1185) continued their campaigns in the Jawlān up to the Battle of Ḥaṭṭīn, and there is no more evidence of threats to destroy mosques, which again points to shifting attitudes.

Circumstances changed drastically during the intense campaigns of 583-4/1187-8. Ṣalāḥ al-Dīn defeated the combined Frankish forces at Ḥaṭṭīn in this interval. But he

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[344] For the breach of the truce of 518/1124, see Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 222-3 [pp. 586-7]; trans. Barbier de Meynard, *Chronique d'Alep*, 644-5; ʿUmar ibn Aḥmad ibn Hibat Allāh Kamāl al-Dīn ibn al-ʿAdīm, *Bughyat al-ṭalab fī tārīkh Ḥalab*, ed. Suhayl Zakkār, 11 Vols. (Damascus: Dār al-Fikr, 1988-1989), IV: 1963; trans. Barbier de Meynard, *Extraits du dictionnaire biographique de Kemal ed-Dîn*, in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'acadèmie des inscriptions et belles-lettres, Vol. 3 (Paris: Imprimerie nationale 1884), pp. 716-7. According to Baldwin, the pope sanctioned his breach. For the case of 519/1125, see Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 232 [p. 596]; trans. Barbier de Meynard, *Chronique d'Alep*, 651.

[345] Ibn al-Athīr, *Al-Kāmil*, XI: 484; trans. Richards, *Chronicle*, II: 285. Other factors may have also deterred them.

continued to encounter staunch resistance from the remnants of the Frankish forces, garrisoned in nearby towns and fortresses. Towards the end of the campaigning season, Ṣalāḥ al-Dīn ordered the demolition of the church of Anṭarṭūs when he seized the town from the Franks. This was an unusual order from the sultan, and Abū al-Maḥāsin makes it clear that the destruction of the church was an intentional and symbolic act of retribution: "he [Ṣalāḥ al-Dīn] demolished the church, an important one in their eyes and the object of pilgrimage from all over their lands."[346] Ṣalāḥ al-Dīn's decision to destroy a major Christian church and cult centre was preceded by a destructive Frankish raid on Jubayl, which caused the sultan to feel "very disturbed".[347] And prior to this raid, the Franks had also seized several Ayyūbid ships at Tyre and ambushed a small force at ʿAfarbalā (Ln. Castrum Sancte Helie; modern Taibe south of Tiberias).[348] The numerical weakness of the Franks following their defeat at Ḥaṭṭīn probably led to a scorched-earth policy and lightning raids, which compromised any avenues for diplomacy and left Christian minorities under Islamic rule in danger. Ṣalāḥ al-Dīn's decision to destroy a church can thus be read as a public act of revenge and as a challenge to Frankish authority. The consequences of his decision affected the Christians of Anṭarṭūs most acutely of course, but their Frankish co-religionists surely heard the sultan's warning.

One more aspect of Ṣalāḥ al-Dīn's agenda not yet considered in this section is his repression of the Ahl al-Kitāb in Egypt in the early days of his reign. In this section and in Chapter 4, I focus on cases in which the sultan conceivably factored his relations with the

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[346] *wa-kharaba al-bīʿa, wa-hīya bīʿa ʿaẓīma ʿindihim maḥjūj ilayhā min aqṭār bilādihim*. Abū al-Maḥāsin, *Al-Nawādir*, 88; trans. Richards, *Excellent History*, 83. *Bīʿa* can also mean synagogue but it is clear from context that the author refers to a church. William Edward Lane, *An Arabic-English Lexicon*, 8 Vols. (London: Williams, 1863), I: 285.
[347] Abū al-Maḥāsin, *Al-Nawādir*, 85-6; trans. Richards, *Excellent History*, 81.
[348] Abū al-Maḥāsin, *Al-Nawādir*, 84; trans. Richards, *Excellent History*, 79-80.

Franks into his policies towards Christians under his power. In 567/1172, however, Ṣalāḥ al-Dīn ordered the dismissal of Christians and Jews from government posts without any direct provocation on the part of the Franks.[349] In fact, al-Maqrīzī makes it very clear that the context had little to do with the Franks; envoys were moving between the courts of Nūr al-Dīn and Ṣalāḥ al-Dīn and the sultan was also occupied with tax collection and the establishment of the ʿAbbāsid *khuṭba*. This case suggests that the sultan also implemented restrictions on the activities of the Ahl al-Kitāb to consolidate his authority as an orthodox Muslim ruler. As can be seen in the reign of Baybars (section iv. below), Muslim policies towards the Ahl al-Kitāb varied drastically across contexts and also depended on audience.

iii. Violations of Agreements

The two decades following the raid of Joscelin appear to have witnessed minimal retribution towards minorities, and this "quiet" period could be a result of Frankish military hegemony. From the 540s/1150s, the Zengid sultan Nūr al-Dīn ibn Zengi posed the first serious threat to the Franks and unwittingly altered the situation of Muslims under Frankish rule. The contest over the strategic castle of Banyas seems to have elicited particularly hostile reactions among the Frankish elite. According to William of Tyre, Nūr al-Dīn attacked Banyas in 1153 (547-8 AH), twice in 1157 (551-2 AH), and again in 1165

[349] Aḥmad ibn ʿAlī Taqī al-Dīn al-Maqrīzī, *Al-Sulūk li-maʿrifat al-mulūk*, eds. Muḥammad Muṣṭafā Ziyāda, Saʿīd ʿAbd al-Fattāḥ ʿĀshūr, 4 Vols. (Cairo: Lajnat al-Tā'līf wa-al-Tarjama wa-al-Nashr/Association of Authorship, Translation and Publication Press, 1934-83), I.i: 47; trans. R. J. C. Broadhurst, *A History of the Ayyubid Sultans of Egypt* [Library of Classical Arabic Literature 5] (Boston: G. K. Hall & Co., 1980), p. 40.

(561-2 AH).[350] Ibn al-Athīr recounts an additional attack by Nūr al-Dīn in 559 (1164 AD) during the Egyptian campaign of Shīrkūh, when Nūr al-Dīn finally captured the fortress.[351] Clearly this castle was among the most contested of frontier centres. The Franks were unable to respond directly to the military might of the Zengids and instead maltreated the more vulnerable Muslims within the Latin Kingdom.

In the first instance, the Franks scuttled a ship carrying the family and possessions of Usāma ibn Munqidh, a retainer of the Zengids, in 549/1154. According to Usāma himself, Nūr al-Dīn had obtained safe-passage directly from the king of Jerusalem, Baldwin III.[352] According to the account of Usāma's informant, Baldwin sank the ship on purpose when it reached shore so that the law of shipwreck would apply, allowing the nearest authorities to "legally" seize the shipwrecked goods:

> As [the vessel] approached Acre, where the king was (may God *not* have mercy upon him), the king sent out a group of men in a small boat to sink the ship with axes, as my own companions looked on. The king rode out on his horse, stopped at the shore and took as pillage everything that was in the ship. A servant of mine [Usāma's] swam across to him, holding the safe-passage document, and said to him, "My lord king, is this not your document of 'safe-passage?'" "Indeed it is," he said. "But this is the procedure among the Muslims: if one of their ships is wrecked off one of their towns, then the inhabitants of that town get to pillage it."[353]

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[350] William of Tyre, *Chronicon*, 18.12-3, 18.15, 19.10 (II: 837-40, 844, 898-9), trans. Babcock and Krey, *Deeds*, II: 257-9, 262-4, 309-10; Ronnie Ellenblum, "Who Built Qalʿat al-Ṣubayba?", *Dumbarton Oaks Papers* 43 (1989): 105.

[351] Ibn al-Athīr, *Al-Kāmil*, trans. Richards, *Chronicle*, II: 145; 148-9; Ronnie Ellenblum, *Crusader Castles and Modern Histories* (Cambridge: Cambridge University Press, 2007), p. 142; Bernard Hamilton, *The Latin Church in the Crusader States: The Secular Church* (London: Variorum Publications, 1980), p. 84; Lyons, Jackson, *Saladin*, 73; Sivan, *L'Islam et la croisade*, 61; Richard, *Royaume latin*, 52.

[352] Usāma ibn Munqidh, *Kitāb al-iʿtibār*, 34, trans. Cobb, *Book of Contemplation*, 43.

[353] *Fa-lammā dannū min ʿAkkā wa-al-malik, lā raḥamahu Allāh, fīhā naffadha qawman fī markab ṣaghīr kasarū al-baṭisa* [?] *b'il-fu'ūs, wa-al-aṣḥābī yarūnuhum, wa-rakaba wa-waqafa ʿalā al-sāḥil nahaba kullu mā fīhi. Fa-kharaja ilayhi ghulām lī sibāḥa, wa-al-imān maʿhu wa-qāla lahu: 'Yā Mawlaya al-Malik, mā hadhā imānak?' Qāla: 'Balā, wa-lakin hadhā rasm al-Muslimīn: idhā inkasara lahum markab ʿalā balad nahabahu ahl dhālik al-balad.'* Usāma ibn Munqidh, 34-5, trans. Cobb, *Book of Contemplation*, 43-4.

Baldwin undoubtedly orchestrated this act of aggression towards Nūr al-Dīn and it is possible that he even granted the sultan's request for safe-passage in order to insult him by later breaking the agreement and humiliating his retainer, Usāma. Through this deed, Baldwin demonstrated Nūr al-Dīn's inability to protect the kin and property of his retinue. Therefore, it was an assault on Nūr al-Dīn's honour and authority. Furthermore, the king disingenuously tried to deflect accusations of infidelity to the agreement by implying that the ship had been shipwrecked by happenstance.

In the second instance, the Franks attacked a group of pastoralists and seized their flocks in c. 552/1157. In this case, record of the breach comes from William of Tyre (see Chapter 2, section v.), and his account provides a counterbalance to the preponderance of Arabic sources for Frankish infidelity. In that year, a group of pastoralists obtained a guarantee of safe-passage through a truce between Baldwin III and Nūr al-Dīn.[354] The Franks then seized the opportunity to do mischief, after brief deliberation:

> …certain wicked men, sons of Belial, who had no fear of God before their eyes, approached the king and easily persuaded him to fall in with their evil schemes. They suggested that, regardless of his faithful promise and the treaty made with these nomads, he should make a sudden attack upon them after they had driven their flocks and herds into the forest to graze and give them and their beasts as prey to his own people. This plan was adopted. The king, burdened by debt and held fast by many obligations which he had no means of satisfying, easily inclined to this as to any scheme by which he might relieve the pressure upon him.[355]

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[354] Edbury, Rowe, *William*, 157; Marshall W. Baldwin, "The Latin States under Baldwin III and Amalric I, 1143-1174", in *A History of the Crusades*, ed. Kenneth M. Setton, 6 Vols. (Madison: University of Wisconsin Press, 1969), I: 539; Babcock and Krey, *History*, n. 47 (p. 256).

[355] *Accesserunt porro ad dominum regem viri impii, filii Belial, Domini timorem prae oculis non habentes; suggesseruntque ei, et in malitia sua facilius involverunt, persuadentes ut prodigus fidei, et immemor foederis, quod cum eis pepigerat, subito in praedictos viros, qui pabulandi gratia tam greges in sylvam, quam armenta introduxerant, irruptionem faceret: et tam eos, quam eorum pecualia, suis daret ad praedam: quod et factum est. Rex enim aere gravatus alieno, et multis obligatus debitis, cum non haberet unde creditoribus satisfacere posset, proclivius, ad hoc ut quocunque modo se expediret* […]. William of Tyre, 18.11 (II: 836), trans. Babcock, Krey, *Deeds*, II: 255-6; Edbury, Rowe, *William*, 157; Baldwin, "Latin States", 539; Richard, *Royaume latin*, 50.

William tried his best to exonerate the king for his conniving by assigning blame to malevolent counsellors, a common medieval *topos*. However, based on the pattern seen so far, Baldwin could very well have staged this expedition to insult the Zengid sultan once again by revealing his powerlessness in preventing the raid.[356] It is possible that the emigration of a group of Muslims inhabiting the foothills north of Jerusalem from 551/1156 onwards was in part a result of discord between Frankish and Muslim rulers and even related to the two breaches analyzed here.[357] Another raid of similar design was carried out by Baldwin IV in 579/1184 prior to the Battle of Ḥaṭṭīn.[358]

In the cases surveyed in this section, the Franks challenged Muslim rulers by targeting Muslims living in or passing through their domains. The limited economic benefit accrued from such acts also highlights the expressive aspect of the gestures. The Franks' main purpose was to threaten the honour and authority of Nūr al-Dīn by exposing his inability to protect Muslims within and outside his domains.[359] Such attacks could adversely affect the legitimacy of the sultan and provide contenders for the Zengid throne with incentives to seize power. Nūr al-Dīn simply responded with more raids and eventually captured Banyas in 559/1164. Ibn al-Athīr also notes that Nūr al-Dīn refused to conclude a truce with the Franks in 558 (1163 AD) and this may have forced the Franks to reconsider their strategy towards Muslim minorities.[360] Yet the Anjouins and Zengids

[356] It is unclear why William discusses the incident of 552/1157 but not the earlier breach of 549/1154. William undoubtedly recognised the threat that Nūr al-Dīn posed by 552/1157 and therefore may have perceived the strategic error made by the king. The incident of 549/1154 may have had limited impact or may not have reached his attention since he relied on oral tradition and court records for this period. See Edbury, Rowe, *William*, 13, 44-6, 55.
[357] Drory, "Nablus Region", 97-8.
[358] William of Tyre, *Chronicon*, 23.1 (II: 1063-4); trans. Babcock, Krey, *Deeds*, II: 508-9.
[359] For parallels in the Icelandic context, see William I. Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* (Chicago: University of Chicago Press, 1990), esp. pp. 185, 219.
[360] Ibn al-Athīr, *Al-Kāmil*, XII: 296; trans. Richards, *Chronicle*, II: 142.

concluded another treaty not long after, which the Franks once again breached. This time, King Amaury seized the goods of the two Egyptian ships that he had safeguarded only up to the point of their arrival at Latakia. Like Baldwin, he claimed that they had sunk when he was held to account by the sultan. Nūr al-Dīn then raided Frankish territories until compensation was made and a new truce arranged.[361]

These breaches were calculated acts of aggression intended to dishonour the sultan by causing harm to Muslims within Frankish domains. We must bear in mind that the Franks could not have foreseen Nūr al-Dīn's later success in the 540s/1150s; they might have hoped that by dishonouring the sultan, another Muslim ruler would soon challenge his authority and prevent him from establishing permanent rule. For his part, Nūr al-Dīn continued to conclude truces with the Anjouin rulers out of the necessity of avoiding conflicts on several fronts at a time. The Anjouins thus counted on a temporary return to stable relations.

Ṣalāḥ al-Dīn's tolerance for breaches was much lower, and it appears that the breaches of his time may have become more desperate. In 582/1186-7, Prince Reynald of Karak intercepted a caravan on route from Greater Syria to Egypt in contravention to a truce with the sultan.[362] Abū al-Maḥāsin explicitly states that the caravan was travelling under safe-passage.[363] As a result of this breach, Ṣalāḥ al-Dīn offered no mercy to Reynald after his capture at Ḥaṭṭīn on 24 Rabīʿ al-Thānī 583/4 July 1187, according to Ibn al-Athīr's version of the encounter.[364] The sources reveal no more breaches of truces between this

[361] Ibn al-Athīr, *Al-Kāmil*, XII: 374; trans. Richards, *Chronicle*, II: 200.
[362] Ibn al-Athīr, *Al-Kāmil*, XII: 527-7; trans. Richards, *Chronicle*, II: 316-7.
[363] Abū al-Maḥāsin, *Al-Nawādir*, 78; trans. Richards, *Excellent History*, 74. See also 66; trans. Richards, *Excellent History*, 65.
[364] Ibn al-Athīr, XII: 537; trans. Richards, *Chronicle*, II: 324. Cf. Abū al-Maḥāsin, *Al-Nawādir*, 78-9; trans. Richards, *Excellent History*, 75. Abū al-Maḥāsin says that the sultan struck off Reynald's arm and that his

infamous incident and a raid carried out by the Templars and Hospitallers in 662/1263.[365] The lack of evidence for Frankish breaches of truces and hostile acts towards subjected Muslim minorities in the period following 582/1186-7 suggests a shift from a policy of targeting Muslim minorities to one of protecting them, which became even more necessary in the Mamlūk period.

In fact, the shifting power balance may have had wider repercussions, namely a shift from subjected Muslims to subjected Christians being targeted with sanctions and violence, even beyond the framework of Frankish-Muslim diplomacy. In 592/1196, the Ayyūbid ruler of Damascus, al-ʿAzīz, took measures to curb the authority and diminish the status of the town's Christians. He proclaimed their service in the government forbidden and enforced sumptuary laws, thereby distinguishing the Christians from Muslims in dress.[366] Muslim rioters in Egypt targeted Copts during the siege of Damietta by the fifth crusaders in 616/1219, despite the fact that Christians numbered among the defenders of the town. Similar attacks took place in Fustat in 639-40/1242 and in Damascus in 647-8/1250.[367]

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retainers then executed him. He may have invented Ṣalāḥ al-Dīn's final offer of conversion as a means of downplaying the execution of Reynald in cold blood. Abū al-Maḥāsin did not join the sultan's service until the following month (Jumādā al-Ūlā 584/June 1188).

[365] Muḥyī al-Dīn ibn ʿAbd al-Ẓāhir, *Al-Rawḍ al-zāhir fī sīrat al-Malik al-Ẓahir*, ed. ʿAbd al-ʿAzīz al-Khuwayṭir (Riyadh: s.n., 1976). p. 201; Holt, *Mamluk Diplomacy*, 14; Thorau, *Lion of Egypt*, 149. For the truce itself, see Ibn ʿAbd al-Ẓāhir, op. cit., 187. A truce was also compromised (*infasakhat*) in 604/1207-8 but we do not know which party was responsible. Abū al-Muẓaffar, cited in Abū Shāma, *Dhayl ʿalā al-rawḍatayn*, ed. Muḥammad Zāhid ibn al-Ḥasan Kawtharī (Cairo: Dār al-Kutub al-Malikīya, 1366/1947, reprint Beirut 1974), p. 102; trans. A.-C. Barbier de Meynard, *Extraits du livre intitulé « Complément des deux jardins »*, in *Recueil des historiens des croisades : Historiens orientaux*, ed. L'acadèmie des inscriptions et belles-lettres, Vol. 5 (Paris: Imprimerie nationale, 1898), p. 162. For the truce, see Ibn al-Athīr, *Al-Kāmil*, XII: 274; trans. Richards, *Chronicle*, III: 137. A truce concluded in 594/1198, probably a renewal of the Treaty of Jaffa, and the Treaty of Jaffa both appear to have been breached by Muslim rulers. Mary Nickerson Hardwicke, "The Crusader States, 1192–1243", in *A History of the Crusades*, eds. Kenneth M. Setton, Robert Lee Wolff, Harry Hazard, 6 Vols. (Madison: University of Wisconsin Press, 1985), esp. p. 531; see also *The Conquest of Jerusalem and the Third Crusade: Sources in Translation*, ed. Peter Edbury (Aldershot: Ashgate, 1997), p. 136 [English translation of sections of the *Lyon Eracles* or *Old French Continuation*]; cf. Abū Shāma, *Al-Rawḍatayn*, trans. Barbier de Meynard, 115-6).

[366] Al-Maqrīzī, *Al-Sulūk li-maʿrifat al-mulūk*, I.i: 135; trans. Broadhurst, *Ayyubid*, 120; Hillenbrand, *Islamic Perspectives*, 414.

[367] Sivan, *L'Islam et la croisade*, 180; Hillenbrand, *Islamic Perspectives*, 414.

Hillenbrand has assessed these and later incidents of discriminatory measures towards subjected Christians and Jews to determine whether relations between Muslim rulers and the *dhimmī*s deteriorated in the long term as a result of the crusading movement.[368]

iv. Reprisals against Subjected Minorities in the Mamlūk Period

The policies of the Mamlūk sultan "al-Malik al-Ẓāhir" ("the Victorious King") Baybars al-Bundaqudārī (658-676/1260-1277) exemplify this trend in particular and general ways. He capitalized on heightened tensions between *dhimmī*s and Muslims in Egypt and Greater Syria and was swayed by pockets of popular resentment against Christians and Jews. He channeled this hostility towards specific targets.[369] He also discovered (and exaggerated) the Ifranj's tendency of breaching diplomatic agreements, which compromised his honour and authority as a Muslim ruler. Since the sultan was well informed of attempts across the Mediterranean at unifying Christendom, he was proactive and strategic in his conduct towards Christian monarchs and cautious in his treatment of *dhimmī* Christians. He accordingly dispatched embassies to several rulers to ensure that the Mamlūks could rely on allies in the event of an invasion. Potential alliances with Christian rulers abroad necessitated circumspection when it came to his relations with *dhimmī* Christians. It should not be assumed, however, that all actions targeting Christians had the same audience; his relations with eastern Christian monasteries, for example, may have remained obscure or inconsequential to western Christian monarchs. Hence, all encounters between Baybars

[368] See Chapter 1, section v. and Northrup, "Muslim-Christian Relations", 253-4 for a similar argument based on immediate socio-economic factors.
[369] See Müller, Pahlitzsch, "Monastery of the Holy Cross", 275-80.

and any Christians who came under his power must be studied in context. Below, I discuss instances of Baybars' hostility towards Eastern Christians mostly in the context of his early reign and his image as seen by his Muslim subjects. In the following chapter (Chapter 6), I discuss his protection and patronage of peasants, possibly including Christians, in the context of his later reign and his relations with the Franks.

In what may be read as an attempt to brusquely appease popular anti-*dhimmī* sentiment, the sultan permitted a *ṣūfī* in his court known as Shaykh Khaḍir al-Mihrānī to expropriate a large synagogue in Damascus and a church in Alexandria and turn them into a mosque and a *madrasa* early in his reign. Such actions on the part of Shaykh Khaḍir were quite reckless and went beyond what was permitted in Islamic law, as noted by some chroniclers. The *shaykh* had even entered the Church of the Holy Sepulchre, where he "killed with his own hand its priest in cold blood" and expropriated the prayer space for a *zāwiya* (*ṣūfī* lodge).[370] Most infamously, the sultan ordered a massacre of the Christians of the village of Qārā, situated between Ḥimṣ and Damascus, in 664/1266. The local Muslims had accused the Christians of complicity with the Franks, though it is impossible to determine if such accusations were grounded in fact.[371] Perhaps the Muslims remembered the humiliation that their co-religionists in Damascus suffered when the Christian-Mongol general Kitbughā assumed power over the city in 658/1260. Kitbughā had issued a *farmān* of protection to the Christians shortly after they took to insulting the Muslims.[372]

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[370] ʿIzz al-Dīn Abū ʿAbd Allāh Muḥammad ibn ʿAlī al-Ḥalabī ibn Shaddād, *Tārīkh al-Malik al-Ẓāhir*, trans. in P. M. Holt, "An Early Source on Shaykh Khaḍir al-Mihrānī", *Bulletin of the School of Oriental and African Studies* 46.1 (1983): 34; Irwin, *Early Mamluk Sultanate*, 54; see also Holt, *Near East*, 152; cf. Hillenbrand, *Islamic Perspectives*, 416, who accords the text greater reliability. Peter Holt's translation is based on MS Edirne Selimiye 2306, ff. 193a-194. See Müller, Pahlitzsch, "Monastery of the Holy Cross", 272 for details on a group of Armenians and Georgians arrested at around the same time on the suspicion of espionage.
[371] Thorau, *Lion of Egypt*, 175.
[372] Thorau, *Lion of Egypt*, 68.

These cases are traceable to an individual *ṣūfī*'s fervour and to a wider context of Muslim resentment towards the Ahl al-Dhimma. Baybars would not have had a reason for enlisting the support of such a fervent figure for ten (solar) years had his views not aligned with widespread sentiment at the time. The expropriations also followed the conquests of Valencia by James I, the crusade of Louis IX in Egypt, and the second Mongol wave in Greater Syria. Baybars was thus confronted with the expansion of the Crown of Aragon, a crusade, and the possibility of a Papal-Mongol alliance during the height of the papacy's influence. The threats posed to Dār al-Islām by Christians and their potential Mongol allies hardened Muslim attitudes towards their Christian neighbours and altered their expectations on how Sunnī rulers should administer their domains and rule over *dhimmī*s.

Yet other actions undertaken by Baybars stemmed from specific vicissitudes in his relations with the Franks. For instance, Baybars forbade Christians and Jews from entering the region of Hebron during his destructive campaigns in the County of Tripoli and the Kingdom of Jerusalem in 664/1266.[373] The campaign began immediately after Bohemond VI threatened Ḥimṣ and soon after Philip of Montfort had threatened Banyas, thereby breaking his truce with Baybars.[374] Baybars also executed the garrison of Ṣafad after accusing them of breaking their safe-conduct agreement by carrying weapons and smuggling prisoners. The massacre of the captives occurred on the same hill on which the Templars had earlier executed their Muslim prisoners.[375] An attack on Christian villagers later that same year was a direct response to a Frankish raid on Ṭarshīḥā, which had ended with the hanging of four villagers, presumably Mamlūk subjects.

[373] Thorau, *Lion of Egypt*, 167.
[374] Ibn ʿAbd al-Ẓāhir, *Al-Rawḍ al-zāhir*, ed. Khuwayṭir, 255; Sadeque, *Baybars*, 55; Holt, *Mamluk Diplomacy*, 107.
[375] Thorau, *Lion of Egypt*, 169-170.

Neither Shaykh Khaḍir's rash acts of persecution, nor any popular resentment towards *dhimmī*s, nor hostility towards the Franks prevented the sultan from engaging with Christian rulers abroad. Baybars maintained a close diplomatic relationship with the Byzantine emperor, Michael VIII. He also developed ties to the Hohenstaufen king of Sicily, Manfred, from c. 659/1261 and corresponded with Charles of Anjou from c. 665/1266.[376] It must be emphasized that Baybars did not have Christian monarchs in mind as his primary intended audience in carrying out many of the actions surveyed above, which resulted in harm towards Christians and the deterioration of their status. In the case of the Hebron blockade, Baybars exercised his authority over Christian access to a holy space as retaliation against the actions of the Franks *in the East*. But it remains an unlikely possibility that such localized cases of persecution as the attack on Qārā would garner the attention of the pope in Rome or the Byzantine emperor. The Muslims of Damascus and its environs were most likely the intended audience in the latter case.

Qalāwūn also implemented proscriptive measures against *dhimmī*s in Egypt and Greater Syria that can be tied to a wider political context and to tensions within Mamlūk society. The sultan ordered the Damascene Christians and Jews in royal service to convert on pain of execution prior to a campaign against the Ilkhānids in 678/1279-80. In that year, Qalāwūn also ordered the demolition of the monastery known as Dayr al-Khandaq (the Church of Anba Ruways or Ruweiss).[377] And the sultan reiterated an order for the dismissal of Christians and Jews from official posts in 689/1290, emulating an order issued by Ṣalāḥ

[376] Humphreys, "Ayyubids", 14-5.

[377] Nāṣir al-Dīn Muḥammad ibn ʿAbd al-Raḥīm ibn al-Furāt, *Tārīkh al-duwal wa-al-mulūk*, eds. Qusṭanṭīn Zurayq, Ḥasan Muḥammad Shammāʾ, 3 Vols. [Vols. 7-9] (Beirut: al-Maṭbaʿa al-Amīr Kāniya, 1936-1942), VII: 158; Aḥmad ibn ʿAlī Taqī al-Dīn al-Maqrīzī, *Kitāb al-mawāʿiẓ wa-al-iʿtibār fī dhikr al-khiṭaṭ wa-al-āthār*, 2 Vols. (Bulaq: Dār al-Ṭibāʿa al-Miṣrīya, 1270 AH [= 1853 AD]), II: 507, 511: cited in Northrup, "Muslim-Christian Relations", n. 17 (p. 257); idem, "Mamlūk Period", n. 211 (p. 74).

al-Dīn in 567/1172.[378] However, Linda Northrup has demonstrated that this latter policy contained specific injunctions against Christians and Jews who were employed in royal service only, and that Qalāwūn implemented policies favourable to *dhimmī* communities, also in 678/1279-80 and 682/1283-84.[379]

At first, Qalāwūn's proscriptive measures are difficult to link to crusader or Mongol activity; on the surface it appears that they were meant to appease the Muslim elite, foster a sense of solidarity by encouraging participation in the *jihād al-Ifranj*, and serve as an outlet for general anti-*dhimmī* feeling.[380] In that sense, they were intended for a "domestic" audience and not as a means of pressuring Frankish or Mongol rulers into adopting certain policies.[381] But the favourable policies adopted in 678/1279-80 and 681-2/1283-84 both coincide with a series of Byzantine-Mamlūk negotiations, which indicates that the sultan improved relations with Christian minorities in Mamlūk lands as a diplomatic gesture.[382] The case of Dayr al-Khandaq stands out and recalls the earlier cases in which Muslim rulers requisitioned church properties. The problem lies in differentiating between measures

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[378] Al-Maqrīzī, *Al-Sulūk li-maʿrifat al-mulūk*, I.i: 47, see also 77; trans. Broadhurst, *Ayyubid Sultans*, 40, 68. Northrup, "Muslim-Christian Relations", 254-7.

[379] Al-Maqrīzī, *Al-Sulūk li-maʿrifat al-mulūk*, I.iii: 664, 712; trans. E. Quatremère, *Histoire des sultans mamlouks*, 2 Vols. (Paris: The Oriental Translation Fund, 1845), III: 2-3, 59; idem, *Al-Mawāʿiẓ wa-al-iʿtibār*, II: 65; Northrup, "Muslim-Christian Relations", 257.

[380] See Hillenbrand, *Islamic Perspectives*, 416-7.

[381] Northrup, "Muslim-Christian Relations", 253-4.

[382] However, David Ayalon points out that Qalāwūn did not acquiesce to the emperor's request to have all "Christian *mamlūk*s" released. David Ayalon, "Mamlūk", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), VI: 315. For studies on the Byzantine-Mamlūk embassies, see: Holt, *Mamluk Diplomacy*, 120-1; Paulina B. Lewicka, *Šāfiʿ ibn ʿAlī's Biography of the Mamluk Sultan Qalāwūn* (Warsaw: Academic Publishing House, 2000), pp. 78-9; Marius Canard, « Le traité de 1281 entre Michel Paléologue et le sultan Qalâ'un », *Byzantion* 10 (1935): 669-80; Marius Canard, « Un traité entre Byzance et l'Égypte au XIII siècle et les relations diplomatiques de Michel VIII Paléologue avec les sultans Baibars et Qalawun », in *Mélanges Gaudefroy-Demombynes : mélanges offerts à Gaudefroy-Demombynes par ses amis et anciens élèves* (Cairo: Institut Français d'Archéologie Orientale, 1945), pp. 197-24; Franz Dölger, „Der Vertrag des Sultans Qalaun von Ägypten mit dem Kaiser Michael VIII Palaiologos (1281)", in *Serta Monacensia*, eds. Franz Babinger, Hans Joachim Kissling, Alois Schmaus (Leiden: Brill, 1952), pp. 60-79; Mohamed Tahar Mansouri, *Recherche sur les relations entre Byzance et l'Égypte, 1259-1453 d'après les sources arabes* (Manouba: Faculté des lettres de la Manouba, 1991).

aimed at appeasing the Muslim elite or populace on the one hand, and acts aimed specifically at subjected Christians as a form of retaliation for wider political developments on the other, though the preceding cases show that both possibilities were closely tied.

v. Case Study: The Conquest of Acre in 690/1291

The final section of this chapter deals with a case study that encompasses all aspects of minority-ruler relations discussed here and in Chapter 4. By the time of his sudden death in 689/1290, the Mamlūk sultan Qalāwūn had nearly completed his conquest of the Latin Kingdom; only Acre, Athlit (Ar. ʿAthlīth; Ln. Castellum Preregrinorum), Beirut, Haifa, Tortosa, Tyre, and a handful of rural estates remained in Frankish hands. A pretext was needed for any assault on the fortified town of Acre since the Mamlūks were still bound to a truce with the Frankish rulers of the city, concluded in 682/1283.[383] Accordingly, Qalāwūn only took action when a riot in the city resulted in the death of several Muslims, who were probably merchants.[384] This was an assault against Muslims during a period of truce—but

[383] Al-Qalqashandī, *Ṣubḥ al-aʿshā*, XIV: 51-63 [longest version, containing some corruptions]; Ibn ʿAbd al-Ẓāhir, *Tashrīf al-ayyām wa-al-ʿuṣūr fī sīrat al-Malik al-Manṣūr*, ed. Murād Kāmil (Cairo: al-Jumhūrīya al-ʿArabīya al-Muttaḥida/Wizārat al-Thaqāfa wa-al-Irshād al-Qawmī/al-Idāra al-ʿĀmma li-l-Thaqāfa, 1961), pp. 34-43 [earliest version, but incomplete] and 213-5 [oaths]; translated in *Arab Historians of the Crusades*, trans. Francesco Gabrieli, *Storici Arabi delle Crociate*, trans. E. J. Costello (New York: Dorset Press, 1989), pp. 326-31 and 331-3; Ibn al-Furāt, *Tārīkh al-duwal*, VII: 262-70 [superior text that follows al-Qalqashandī, with minor variations]; ed. Quatremère, *Histoire*, II: 179-185, trans. idem, *Histoire*, II: 224-30; Holt, *Mamluk Diplomacy*, 73-91; Shāfiʿ ibn ʿAlī, *Faḍl al-maʾthūr min sīrat al-Sulṭān al-Malik al-Manṣūr*, Oxford, Bodleian Library, Marsh 424, fol. 117; Holt, "Qalāwūn's Treaty with Acre in 1283", 806; Holt, "Diplomatic Relations", 286; Holt, *Mamluk Diplomacy*, 2, 9, 10, 11, 20, 69-73; Northrup, "Baḥrī Mamlūk Sultanate, 1250–1390", 276; Northrup, *Slave to Sultan*, 285; Lewicka, *Šāfiʿ ibn ʿAlī's Biography*, 71-2, 90, 104; Irwin, "Supply of Money", 80.

[384] For the various versions of the incident, see Holt, "Diplomatic Relations", 288. I lean towards the version of Baybars al-Manṣūrī and Shāfiʿ ibn ʿAlī in *al-Faḍl al-maʾthūr*, which mentions the harassment of Muslim merchants by newly arrived Franks, echoing the experiences of Usāma ibn Munqidh during a visit to Frankish Jerusalem and the experiences of Venetian merchants in Alexandria. Merchants appear to have been targeted in many trading enclaves of the medieval Levant when tensions arose between larger faith groups. See Pierre Moukarzel, "Venetian Merchants in Thirteenth-Century Alexandria and the Sultans of Egypt: an Analysis of Treaties, Privileges and Intercultural Relations", *Al-Masāq* 28.2 (2016): 195; David Abulafia, "The Role of

one not sanctioned by royal authority—which caused Qalāwūn to consult his advisors on the appropriate action to take. After a discussion, the counsellors came to the conclusion that the crime counted as a breach of safe-passage for Muslim merchants in the city:

> So he [Qalāwūn] asked the chief secretary, Fatḥ al-Dīn, who was near me: "Is there a loophole in the truce?"
>
> He inspected it and did not find a loophole in it. He turned to me and then to its scribe, his father [Muḥyī al-Dīn], and then went over the gist of it, reading the truce to us. His father said: "There is no loophole in it, it is sound."
>
> I didn't say a word. I turned to Fatḥ al-Dīn and he said: "What do you say?"
>
> I [Shāfiʿ b. ʿAlī] said: "I'm with the sultan on this. If it is to be annulled, it shall be annulled; if it is to remain, it shall remain as is."
>
> He said to me something like: "As for the *amīr*s, they are proud and indolent; but the sultan, he leans toward annulling it."
>
> So I said to him: "I'm with the sultan."
>
> And I pointed to a section of the truce, which said: "And it is incumbent that, when the westerners arrive with the intention of harming the Muslims, the leaders and the governor prevent their suffering with [their] force and ability. And if they fall short, they must assess [the situation] so that he [the governor] can restore their losses."
>
> They then acknowledged that this injury to the Muslims was indeed caused by the western Franks.[385]

Trade in Muslim-Christian Contact during the Middle Ages", in *The Arab Influence in Medieval Europe*, eds. Dionisius A. Agius, Richard Hitchcock (Reading: Ithaca Press, 1994), p. 11, reprinted in *Les relations des pays d'Islam avec le monde latin du milieu du X^e siècle au milieu du XIII^e siècle*, ed. Françoise Micheau (Paris: Jacques Marseille-Vuibert, 2000).

[385] *fa-suʾila Ṣāḥib Dīwān al-Inshāʾ Fatḥ al-Dīn muʾalifuhā, qarībī: "Hal fī al-hudnā fasḥa?" Fa-talammaḥahā fa-lam yujid fasḥa fa-akhḍaranī wa-akhḍara muʾalifahā wālidaha, wa-ḥakā al-ṣūra, wa-qaraʾ al-hudnā ʿalaynā, fa-qāla wāliduhu: "Lā fasḥa fīhā wa-al-ḥāla hādhihi." Wa-lam atakallam, wa-iltaqtu ilā Fatḥ al-Dīn wa-qāla: "Mā taqūlu?" Fa-qultu: "Naḥnu maʿa al-ṣulṭān an āthar al-fusḥa fa-hīya mafsūkha wa-an āthar al-istimrār fa-hīya mustamarra." Fa-qāla lī mā hādhihi ṣīyaghatahu: "Amā al-umarāʾ fa-qad kabarū wa-kasilū, wa-amā al-ṣulṭān fa-huwa yuʾathir fasḥahā." Fa-qultu lahu: "Naḥnu maʿa al-ṣulṭān." Wa-ashartu ilā faṣl min al-hudnā wa-huwa: "wa-ʿalā annahu matā waṣala ghurub qaṣdahum adhā al-Muslimīn kāna ʿalā al-muqaddimīn wa-al-nāʾib dafʿ adhāhim bi-al-ṭāqa wa-al-imkān, wa-in ʿajazū ṭālū li-yustadraka fāriṭahum* [?]." *Wa-qad iʿtarafū anna hādhihi al-maḍarra li-l-Muslimīn qad ḥaṣalat min Firanj ghurub.* Shāfiʿ b. ʿAlī, *Kitāb ḥusn al-manāqib*, 138-9; Holt, "Diplomatic Relations", 289; cf. Holt, "Treaties", 76. I've added some punctuation to the text in the edition.

As can be seen, little was needed in the way of finding a satisfactory interpretation for the clause, but the formality of finding a sound legal basis for attacking a town under truce still mattered. Without consideration for the question of motivation or the possibility of reparation, Shāfiʿ b. ʿAlī decided that a breach of the first part of the clause sufficed to deem the Franks unfaithful to the agreement.

The members of the inner circle of Qalāwūn were thus restrained by questions around the legality of declaring their truce null. In fact, the question also revolved around whether or not the authorities of Acre had protected the Muslim minority in their midst to the fullest of their ability. Furthermore, the Mamlūk court knew that the disruption of the agreement could have repercussions for the Muslims in Acre and elsewhere in Christian domains. It is possible that the council had also considered the circumstances of Muslims under Christian rule in their deliberations. In any case, the end of the truce meant the end of the Frankish-Muslim shared minority discourse in the Levant. Henceforth, other parties would attract Mamlūk envoys and assume representation of the Christians in Mamlūk domains.

Qalāwūn died before completing the campaign and his successor, al-Ashraf Khalīl (689-693/1290-1293), crowned the work undertaken by Nūr al-Dīn, Ṣalāḥ al-Dīn, and Baybars by conquering the last major centre of the Latin Kingdom in 690/1291 (Athlit was abandoned by the Templars shortly after). He ordered the execution of the Frankish captives and razed the city. It was a gesture undoubtedly motivated by a sense of revenge for Richard I's massacre of the town's Muslim garrison in 587/1191.[386] The safety of a

[386] Ibn Shaddād, *Nawādir*, 174; trans. Richards, *Excellent History*, 165. According to the anonymous Syriac chronicler of Edessa, Ṣalāḥ al-Dīn's garrison in Acre massacred the town's Christians before surrendering. *Anonymi auctoris chronicon ad annum Christi 1234 pertinens*, trans. Albert Abouna [Corpus scriptorum

Muslim minority in Acre had depended on stable diplomatic relations, and the Franks had come to safeguard truces more carefully once they realized that the risks that came with breaking them was not worth the meagre gains. But newly arrived Franks may not have perceived the delicate balance that needed to be maintained between sporadic military campaigns and compromise with their Muslim neighbours. For the Franks, compromise meant more and more protections for the Muslims living in their domains and therefore a higher chance of angering the Mamlūks, who projected their claim of representing all Muslims (see Chapter 8).

vi. Conclusions

Carole Hillenbrand points to the exceptionality of Ibn al-Khashshāb's policy in 517/1123 and highlights how his actions were at odds with what would have been expected of an orthodox ruler: upholding the protected status of subjected members of the Ahl al-Kitāb (People of the Book). However, Hillenbrand also points out that our knowledge of such acts of retribution may be affected by the lack of surviving documentation and by their authors, who desired to portray pious and law-abiding rulers.[387] But there had been sporadic acts of retribution against *dhimmī*s prior to the crusades, as we can see from the reigns of the ʿAbbāsid caliph Hārūn al-Rashīd and the Fāṭimid caliph al-Ḥākim. Moreover, Hillenbrand's argument, though true in principle, should be revised slightly to reflect changing expectations in the context of increasing tensions. The actions of Baybars and

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Christianorum orientalium 354, Scriptores Syri 154] (Louvain: Durbecq, 1974), p. 151, trans. Ephrem-Isa Yousif, *Saladin et l'épopée des Ayyoubides : Chroniques syriaques* (Paris: L'Harmattan, 2010), pp. 95-6.
[387] Hillenbrand, *Islamic Perspectives*, 412-3.

Qalāwūn also reflect expectations of how Muslim rulers should retaliate when Christians were suspected of collaborating with the enemy or when Muslims under Christian rule faced persecution. We can imagine that rulers heeded the counsel of *amīr*s and faced the pressure of vocal *'ulamā'* outside the court on "appropriate" treatment of the Ahl al-Dhimma.[388] Yet at the same time, the Mamlūks had incentives to offer protections to Christians under their power—whether prisoners or local Christian communities—in other contexts, which I examine in greater detail in the following chapter.

From a broader perspective, Christian rulers came into closer contact with their co-religionists in the Near East from the sixth/twelfth century. Muslim rulers perceived this linkage and eventually capitalized on it, when it was not detrimental to their immediate aims. I propose that the tension between popular demands and the legal requirements of the Dhimma remained as carry-over from earlier times. However, "international relations" must also be factored into the equation, as seen in the context of Byzantine-Umayyad or Byzantine-Fāṭimid relations. Nūr al-Dīn and Ṣalāḥ al-Dīn attempted to uphold the Dhimma in propagating their self-image as just Islamic rulers and ensuring that the Ahl al-Dhimma had access to justice. Yet Ṣalāḥ al-Dīn also used public displays of magnanimity as a means of challenging the authority of the Franks. In the following century, Baybars and Qalāwūn targeted the *dhimmī*s in the context of increasing tensions between Muslims and non-Muslims. Yet the two rulers also needed to exercise caution if they wished to secure alliances with Christian rulers abroad. Like the Ayyūbids, the Mamlūks also engaged in the shared minority discourse by patronizing the Ahl al-Dhimma in some contexts *and* by discriminating against them in other contexts.

[388] Accounts of Ṣalāḥ al-Dīn's reign suggest that he often sought the counsel of his *amīr*s. See Thorau, *Lion of Egypt*, 12. Qalāwūn also sought the counsel of his close advisors after the breach of the truce of 682/1283.

Chapter 6: Frankish-Muslim Partitions: A Case of Convergence in Frankish-Muslim Minority Frameworks

i. Introduction

As discussed in the previous chapter, leverage in diplomacy, symbolic and political capital, and short-term economic advantages could be gained by targeting minorities. Conversely, safeguarding minorities also had advantages and could serve as part of a wider strategy of cooperation among rival rulers anxious about the consequences of aggression. I focused on truces and the act of breaking truces to show how conciliation or confrontation between rulers could have positive or adverse effects on minorities, and how rulers intentionally implicated minorities in their political and diplomatic decisions. In this chapter, I narrow in on a special type of agreement characterized by its unique fiscal organization to extend my analysis of the relations between minorities and rulers engaged in diplomacy. This type of agreement is properly called a partition truce (Ar. *munāṣafa*; Ln. *terra partitionis*) as it hinged fundamentally upon the partition of the revenues of a specific fiscal region (Ar. *aʿmāl*; Ln. *terra*).[389]

Partitions were invariably established through broader peace agreements. The Christian-Muslim partitions probably originated from the imposition of tributary status on

[389] Many Anglophone historians refer to this type of agreement as a condominium, borrowing a concept from International Law. In *Allianzen und Verträge*, Michael Köhler translates *munāṣafāt* directly as Kondominien. Köhler, *Allianzen und Verträge*, 418. David Jacoby and Jean Richard refer to such agreements in the Eastern Mediterranean as *casaux de parçons* and *partages de seigneurie*, respectively. David Jacoby, « Un régime de coseigneurie gréco-franque en Morée: les « casaux de parçon » », in *Mélanges d'Archéologie et d'Histoire, publiés par l'École Française de Rome* 75 (1963): 111-25, reprinted in *Société et démographie à Byzance et en Romanie latine* (London: Variorum Reprints, 1975); Jean Richard, « Un partage de seigneurie entre Francs et Mamelouks: Les « Casaux de Sur » », *Syria* 30 (1953): 72-82. I thank Teresa Shawcross (Department of History, Princeton University) for the latter two references.

a weaker party in a simple truce agreement, to the effect that the tribute-paying party had to send a share (almost exclusively half, or *niṣf* in Arabic) of the total revenue or produce from a demarcated fiscal district, while protection from raiding activity would be offered in exchange. This meant that the inhabitants of the fiscal district had to be protected regardless of their confessional identity, which in turn meant that Christians, Jews, and Muslims could theoretically inhabit these regions and remain safe from harassment, at least for the duration of the agreement.

We can safely propose that the range of stipulations pertaining to the partitions found in Frankish-Mamlūk truces suggests that more and more administrative responsibilities accrued to the parties involved in such agreements as time passed. Through the allocation of such administrative duties, the well-being of subjects and extraterritorial minorities could be made a joint legal responsibility for two rulers. This administrative cooperation adds another dimension to the question of minority conditions, and takes the matter of ruler-minority relations beyond self-standing internal legal frameworks such as the Dhimma or Papal-Roman law. The partitions also offered participating rulers a means of expressing authority, like other types of truces.

The Frankish-Muslim partitions must be studied with consideration of medieval property law and the customary practices of medieval rulers to fully appreciate their complexity as diplomatic instruments. On the one hand, medieval conceptualizations of property and territory shaped how rulers shared administrative powers whilst projecting or surrendering their authority, and more practically, how they implemented shared revenue collection without abusing peasants. On the other hand, Frankish and Muslim attitudes and policies towards rural inhabitants within and outside the context of

diplomatic agreements brought certain assumptions related to the status of peasants and pastoralists into their negotiations.

This chapter thus focuses on the partition as a case-study in cooperation between rulers on the basis of shared responsibilities towards one or more confessional minorities. I begin with a discussion of displays of restraint on the part of rulers that, I argue, became enshrined in partition truces as they were developing. Some Muslim rulers in the decades following the First Crusade attempted to protect rural inhabitants even during military campaigns (the confessional identity of rural populations in a specific region is often unclear and I attempt to remain mindful of this problem as I proceed). This intentional policy of restraint among pre-Mamlūk rulers was gradually integrated into Frankish-Muslim partition truces and thereby formalized.

The partitions must therefore be analyzed alongside a series of sporadic but significant attempts on the part of Muslim rulers to protect vulnerable agriculturalists and pastoralists during campaigns. The development of rudimentary notions of shared responsibility for the welfare of minorities, which served to prevent abuse and exploitation of peasants and pastoralists, also originated with the merging of the two different frameworks of ruler-minority relations discussed in Chapter 2. As I argue below, partition truces only functioned because two rulers shared a notion of responsibility towards a group of peasants in a particular region; each ruler could therefore expect the other ruler to protect the interests of a collective of minorities. A sense of responsibility towards extraterritorial minorities in partition lands was also closely tied to expanding notions and competing claims of authority in the late sixth/twelfth century.

ii. Measures for the Protection of Peasants outside Partition Truces

There is no evidence that partition truces differed from any other type of agreement prior to the Mamlūk period in terms of providing safeguards or privileges for minorities, barring the stipulation on extraterritorial Latin canons in the Treaty of Jaffa, which can be defined as a partition truce on the basis of the division of the revenues of Lydda, Ramla, and Darom. Such protections accumulated over the course of time out of a range of informal behaviours and policies of rulers towards subjects and minorities that fell under their sway. These behaviours and policies were initially *ad hoc*, inconsistent, and tenuously linked to wider legal discourses, if at all, but in time they became customs justified in legal terms. This section focuses on how displays of restraint on the part of rulers towards peasants and townspeople inhabiting their enemies' territories became more and more common alongside the engagement of rulers in the shared minority discourse. These behaviours, I argue, informed some of the stipulations found in the extant Frankish-Mamlūk truces and are particularly important for understanding the trajectory of the shared minority discourse.

The crusaders and their immediate successors were not known for having lenient policies towards any confessional minorities, and the evidence in William of Tyre's *Chronicon* consistently points to raiding in the hinterland around Aleppo, Damascus, the Ḥawrān and Jawlān regions, and in the Transjordan—some of the very regions in which revenues were repeatedly partitioned—throughout the sixth/twelfth century. In the next section of this chapter, I suggest that the Franks considered raiding advantageous as long as the lands targeted ultimately belonged to Aleppo and Damascus, notwithstanding the

partitioning of their revenues on parchment. By the same logic, we should expect the Zengids, Ayyūbids, and Mamlūks to have raided Frankish-held partitions, and instances of truce-breaking that involved raids in partitioned Frankish territory would be relevant in this regard. There is some evidence for the violation of partition truces by al-Malik al-ʿĀdil and Baybars. However, the evidence does not allow us to deduce that the very partition lands belonging to the Franks were ever targeted.[390]

But the Arabic sources reveal a different pattern from what would be expected if Muslim rulers had followed the same course as the Franks. In *Zubdat al-ḥalab*, Kamāl al-Dīn describes how Najm al-Dīn Īlghāzī, the Artuqid ruler of Mardin (501-516/1108-1122), upon reaching the environs of ʿAzāz (Ln. Hazart) in 514/1120, "did not allow a single one of his Turkomans to ravage its districts."[391] ʿAzāz was a part of the Principality of Edessa under the rule of Joscelin I Count of Edessa (1119-1131 = 512-3—526-6 AH) and was included in a partition truce shortly after Īlghāzī's campaign and again in 519/1125.[392] Whether Īlghāzī prevented his troops from pillaging out of respect for Islamic law (whether the local inhabitants were Muslim or deemed Ahl al-Dhimma) or to co-opt local support (whether Muslim or not) cannot be known. It is also possible that the restraint was meant as a gesture to the Franks, hinting at the potential harm they could incur from refusing or breaking a truce. In any case, Īlghāzī shunned a short-term economic gain and opted

[390] For al-ʿĀdil's violation of the Treaty of Jaffa, see *La Continuation de Guillaume de Tyr (1184-1197)*, ed. Margaret Ruth Morgan (Paris: P. Geuthner, 1982), p. 179; trans. Edbury, 136; cf. Abū Shāma, *Al-Rawḍatayn*, 440; trans. Barbier de Meynard, V: 115-6. For Baybars' violations of truces, see Ibn ʿAbd al-Ẓāhir, *Al-Rawḍ al-zāhir*, 300, 362; Reinhold Röhricht, *Geschichte des Königsreichs Jerusalem* (Innsbruck: Wagner, 1898), p. 940; Thorau, *Lion of Egypt*, 177-8, 188.

[391] *Wa-lam yumakkin ahadan min al-Turkmān min tashʿīth ḍīyāʿahā...* Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 195 [p. 559]; trans. Barbier de Meynard, *Chronique d'Alep*, 624.

[392] Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 196, 231-2 [pp. 560, 595-6]; trans. Barbier de Meynard, *Chronique d'Alep*, 625, 651.

instead for a policy of restraint that surely won hearts and minds among the populace of ʿAzāz and its hinterland.

Indeed, the rarity of such a policy, at least among the Franks or Turkomans of the time, was noteworthy in Kamāl al-Dīn's mind.[393] The chronicler clearly recognized restraint as an admirable aspect of virtuous rule. He also comments on the restraint exhibited by the troops of ʿImād al-Dīn Zengi of Mosul (523-541/1129-1146), reflecting their leader's disciplinarian character:

> And Atābak [Zengi] was a mighty and great man, commanding through awe and authority. And it is said that his herald announced [his departure] outside the Iraqī Gate when he [Zengi] was still descending from the citadel. And he rode as his army followed from behind, as if [constrained] between two cords, fearing that they would step on a single seed of a farm field. And not one among them ventured out of fear of him to tread on a single stem; so too not a single horse of his treaded on one, nor did any of his soldiers take from a peasant the straw that belonged to him except by paying its price or by written permission of the *dīwān* [treasury] forwarded to the village headman.[394]

[393] This type of policy contrasts with that of the sultan Mawdūd ibn Altuntash, who destroyed the crops of Sarūj [*s-r-j* in the edition of J. R. Jewett], a town in the County of Edessa that was still inhabited by Muslims. Abū al-Muẓaffar, *Mirʾāt al-zamān*, 25; trans. McGuckin de Slane, *Extraits*, 545; on the Muslims of Sarūj: Ibn al-Athīr, *Al-Kāmil*, X: 461; trans. Richards, *Chronicle*, I: 139; Köhler, *Allianzen und Verträge*, trans. Holt, 37-8, 80, 282; cf. MacEvitt, *Rough Tolerance*, 79-80. For the chronicler of Damascus, secure roads served as an indicator for a ruler's authority and ability to defend non-combatants (Ibn al-Qalānisī, *Tārīkh Dimashq*, 301, 303, 331; trans. Gibb, *Damascus Chronicle*, 143, 147, 167) but also simply as an outcome of Frankish-Muslim peace agreements (338; trans. Gibb, *Damascus Chronicle*, 173).

[394] *Wa-kāna Atābak* [sic] *jabbaran ʿaẓīmman dhā hībatin wa-saṭwatin. Wa-qīlu: inna al-shāwūsh* [sic] *kāna yaṣīḥ khārij Bāb al-ʿIrāq, wa-huwa nāzil min al-qalʿa. Wa-kāna idhā rakiba mashy al-ʿaskaru khalfahu ka-annahum bayna khayṭayn makhāfata an yadūsa al-ʿaskaru shayʾan min al-zarʿ, wa-lā yajsur aḥadun min hībatihi an yadūsa ʿirqan minhu, wa-lā yamshī farasuhu fīhim wa-lā yajsar aḥadun min ajnādihi an yākhudh li-fallāḥ ʿalāqa tibn illā bi-thamanihā aw bi-khaṭṭin min al-Dīwān ilā raʾīs al-qarya…* Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 283-4 [pp. 647-8]; trans. Barbier de Meynard, *Chronique d'Alep*, 689-90. The displays and policies of restraint towards (conquered) non-combatants examined in this chapter were surely informed by notions of the "circle of justice": the advice of wise sages to rulers, enjoing them to protect vulnerable subjects to ensure economic and political stability. Linda T. Darling, "Medieval Egyptian Society and the Concept of the Circle of Justice", *Mamlūk Studies Review* 10.2 (2006): esp. 3-4.

Kamāl al-Dīn then credits Zengi with a general restoration of agriculture in his domains. He adds that the sultan even ordered the governor of Ḥarrān to forbid the forced labour (i.e. corvée, Ar. *sukhr*) of the inhabitants of the locale. Again, Kamāl al-Dīn remains silent on the confessional identity of the populace, and there is no evidence for Frankish settlement at this site in other sources. There may have been a local Jewish community.[395] Ibn al-Athīr repeats the same claim, stating that Zengi restored peace in the region of Northern Syria and revived agricultural productivity after a period of hardship:

> The population of these two [towns: Aleppo and Hama] and of all the areas between Aleppo and Hama, along with the people of Baʿrīn, were in a parlous state because of the constant warfare between them [the people of Aleppo and Hama] and the plundering and killing that never stopped. When Zankī conquered it, people gained some security, the land was cultivated and revenue increased considerably. It was a conspicuous victory and anyone who witnessed it knows the truth of what I say."[396]

Ṣalāḥ al-Dīn continued safeguarding peasants and rural communities from the depredations of unruly troops. His *kātib al-inshāʾ* (secretary), al-ʿImād al-Kātib (ʿImād al-Dīn al-Iṣfahānī), notes that the sultan forbade his troops from committing acts of violence against the farmers around Tiberias as they secured the countryside.[397]

Baybars followed Ṣalāḥ al-Dīn in emulating this tradition of restraint but turned it into official policy by issuing a decree against encroachments on agricultural land. Furthermore, one of his *atabeg*s had a *mamlūk* severely punished for pasturing without

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[395] Prawer, *Latin Kingdom*, 206ff.

[396] Ibn al-Athīr, *Al-Kāmil*, XI: 52; trans. Richards, *Chronicle*, I: 336; see also Ibn al-Athīr, *Al-Tārīkh al-bāhir*, 35, 69; trans. *Histoire des atabecs*, 65, 123; and Ibn al-Qalānisī, *Tārīkh Dimashq*, 479-80, 485; trans. Gibb, *Damascus Chronicle*, 298 [sub anno 544 H.], 303 [sub anno 546 H.] for the economic conditions of Damascus prior to Nūr al-Dīn Zengi's intervention; and 502; trans. Gibb, *Damascus Chronicle*, 317 for the worsening conditions due to Nūr al-Dīn Zengi's blockade of trade routes; repeated in Abū Shāma, *Al-Rawḍatayn*, I: 239-41; trans. Barbier de Meynard, 64-6.

[397] ʿImād al-Dīn al-Kātib al-Iṣfahānī, *Al-Fatḥ al-qussī fī al-fatḥ al-Qudsī*, trans. Henri Massé, *Conquête de la Syrie et de la Palestine par Saladin* (Paris: P. Geuthner, 1972), p. 30.

authorization.[398] Qalāwūn also built on this tradition; he issued detailed instructions in the form of *tadhkira*s (memoranda) to his viceroy in Cairo, Zayn al-Dīn Kitbughā, and to his grandson, al-Ṣāliḥ ʿAlī, to carefully maintain irrigation works. As Northrup notes, Qalāwūn also reminded al-Ṣāliḥ that all Mamlūk subjects are "a trust among those in charge" and instructed him to ensure that all *wālī*s (governors) treat peasants with justice and restraint.[399]

In sum, a notion of authority characterized by the display of restraint appears in several Arabic sources. It encompasses the control that rulers exercised over potentially destructive armies and the protection offered to vulnerable persons and communities. It was not simply a *topos* circulated by authors eager to present their contemporaries with the image of an ideal ruler. Some authors, such as the Damascene *raʾīs* Abū Yaʿlā al-Tamīmī Ḥamza ibn Asad ibn al-Qalānisī, were particularly interested in these more tangible and pragmatic signs of good rule since they also fostered a stable economy, whereas other authors, like Ibn al-Athīr, focused on morals and how the actions of rulers fit into the *jihād al-Ifranj*. The fact that displays of restraint appear across sources of different contexts, purposes, and audiences suggests that rulers were aware of their predecessors' actions.

Moreover, rulers must have realized the value of protecting those falling under their rule and those who provided them with revenue; it was in their interest to promote the

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[398] Ibn ʿAbd al-Ẓāhir, *Al-Rawḍ al-zāhir*, 162; see also Quṭb al-Dīn Mūsā al-Yūnīnī, *Dhayl mirʾāt al-zamān*, 4 Vols. (Hyderabad al-Dakan: Dayrat al-Maʿarif al-Osmanīya, 1374-1380/1954-1961), I: 554, II: 231-2; Nāṣir al-Dīn Muḥammad ibn ʿAbd al-Raḥīm ibn al-Furāt, *Tārīkh al-duwal wa-al-mulūk*, Vienna MS Flügel 814, VI: ff. 21r, 24v-25r [not yet examined by me]; ed., trans. U. Lyons, M. C. Lyons, Jonathan S. C. Riley-Smith, *Ayyubids, Mamlukes and Crusaders. Selections from the Taʾrīkh al-Duwal waʾl-Mulūk of Ibn al-Furāt*, 2 Vols. (Cambridge, 1971), I: 73, 78; II: 59, 63; al-Maqrīzī, *Al-Sulūk li-maʿrifat al-mulūk*, I.ii: 491, line 10; trans. Quatremère, *Histoire*, I.i. 205; Thorau, *Lion of Egypt*, 102. See Thorau's n. 34 (p. 108) for the sources cited here. Baybars' policies had repercussions on Ibn ʿAbd al-Ẓāhir and informed his perception of the ideal Muslim ruler, just as earlier rulers had earned the attention and esteem of Ibn al-Qalānisī and Kamāl al-Dīn.

[399] *fa-huma al-wadīʿa ʿind ulā al-amr...* Al-Qalqashandī, *Ṣubḥ*, X: 119; Northrup, *From Slave to Sultan*, 258, 260.

productivity of their lands. Such measures can be considered policies insofar as they were intentional and rational measures that merited comment in the sources and therefore contributed to the way in which specific rulers were commemorated in the historical record and later imitated. Such policies thus became guidelines that successors could follow. But all of these policies remained informal in that they usually depended on the utterances of rulers. Baybars went one step further by issuing a decree, by which such displays of restraint were translated into formal stipulations safeguarding the specific privileges of the inhabitants of partitioned and unpartitioned territories.[400] Again, these "policies" must be analyzed in context; that Baybars exercised restraint or contributed to the institutionalization of partitions does not mean that Baybars always protected the Ahl al-Dhimma when it did not suit his immediate purposes.

In this section, I focus on the policies of Muslim rulers because the extant sources for the Frankish perspective are terse when it comes to the relations between the ruling elite and the subjected populations. But this source imbalance is arguably also related to a real discrepancy in Frankish and Muslim attitudes towards vulnerable persons. The elite among the first crusaders undoubtedly brought western customs and attitudes towards peasants with them to the Near East.[401] In the Latin West, the implementation of the Peace of God and Truce of God movements throughout the eleventh century indicates a conscious attempt on the part of the Church to limit abuses committed by the knightly class and the ruling elite against *Christian* non-combatants.[402] It is unclear that any of the knights who

[400] These stipulations were probably borrowed from legal treatises dealing with the Dhimma.
[401] On elite attitudes and policies towards peasants in medieval Europe, see Bisson, *Crisis*, 277; cf. Martin Aurell, "Society", in *The Central Middle Ages: Europe 950-1320*, ed. Daniel Power (Oxford: Oxford University Press, 2006), p. 40.
[402] Although these attempts did not prevent the monopolization of violence, they certainly changed the discourse of Christian knighthood as well as expectations implicit in the knightly ethos. H. E. J. Cowdrey,

participated on the First Crusade carried with them such notions of constraint acquired in Europe and if such notions would even be applied to peasants of various faiths by warriors with crusading vows. Certainly the massacres perpetrated in Levantine towns, which also decimated Christian communities, would suggest otherwise.

Furthermore, I have not come across evidence for such measures implemented by the church in the Latin East; no central authority was present in the Frankish littoral to prevent the destruction of rural communities. Much of the evidence on the conditions of peasants is anecdotal, as in the case of Ibn Jubayr's brief observation on the scandalously favourable conditions of Muslim peasants under Frankish rule.[403] We also know that Tancred of Antioch (d. 1112), a descendant of the Norman conqueror of Sicily, Robert Guiscard, attempted to keep Muslim families from fleeing al-Athārib during the crusader campaigns. He must have offered them incentives to remain under Frankish rule.[404] In contrast, a group of Muslims identifying with the Ḥanbalī School emigrated from the Kingdom of Jerusalem in the mid- to late sixth/twelfth century, though their emigration was arguably linked to wider legal discourses. These Muslims left their villages in the region south of Nablus between 551/1156 and 569/1173. This was the very period in which *jihād* propaganda received substantial political backing and in which Muslim

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"From the Peace of God to the First Crusade", in *La Primera Cruzada, novecientos años después : el Concilio de Clermont y los orígenes del movimiento cruzado*, ed. J. L. García-Guijarro [Jornadas Internacionales sobre la Primera Cruzada] (Madrid: Universidad Autónoma de Madrid, 1997), pp. 53-4, reprinted in *The Crusades and Latin Monasticism, 11th-12th Centuries* (Aldershot: Ashgate, 1999); Richard Fletcher, *The Barbarian Conversion: from Paganism to Christianity* (New York: H. Holt and Co., 1998), p. 496; see also Andrew Latham, "Theorizing the Crusades: Identity, Institutions, and Religious War in Medieval Latin Christendom", *International Studies Quarterly* 55 (2011): 226.

[403] Ibn Jubayr, *Riḥla*, 274-5; trans. Broadhurst, *Travels*, 316-7.

[404] Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 155-6 [pp. 519-20]; trans. Barbier de Meynard, *Chronique d'Alep*, 597-8; cf. Hillenbrand, *Islamic Perspectives*, 360; Kedar, "Subjected Muslims", 147; Cahen, *Syrie du Nord*, 343; cf. Ibn al-Athīr, *Al-Kāmil*, X: 481; trans. Richards, *Chronicle*, I: 153.

residence under non-Muslim rulers became less acceptable. Therefore, their mass emigration is only partly attributable to Frankish oppression.[405]

Instead of assuming a linkage to developments in medieval Europe, it may be more productive to examine the trajectory of Frankish policies and customs as they developed in the Near East. The evidence suggests that Frankish rulers—following a trajectory parallel to their co-religionists in Europe—eventually came to their own conclusions on the advantages of safeguarding rural communities. In most cases, this attitude of "rough tolerance" towards non-Latins (Eastern Christians and non-Christians) was probably not much different from the treatment of Muslim rulers towards their non-Muslim subjects. However, displays of restraint on the part of the Franks seem to have been overlooked by contemporary observers, such as William of Tyre.[406] Perhaps such actions did not stand out as extraordinary by the time he began his chronicle; he certainly focuses more on breaches of truces that affected vulnerable pastoralists. In any case, partition truces did provide a formal and binding mechanism for safeguarding the conditions of peasants and pastoralists against arbitrary attacks. The appearance of detailed stipulations on rural inhabitants in the Mamlūk period also suggests that a shifting power balance, definitively in favour of the Mamlūks, allowed for the possibility of imposing the concept of restraint on the Franks, causing the Franks to reconsider their treatment of Muslim minorities. In the following section, I consider the treatment of minorities on a formal level as stipulated in truces and enacted by rulers engaged in diplomacy, wherein a notion of responsibility was first enshrined.

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[405] Drory, "Nablus Region", 97-8; Bogdan C. Smarandache, "The Ḥanbalī Emigration of 551-569 AH/1156-1173 AD in the Context of the Legal Discourse on Muslims under Non-Muslim Rule", *The Muslim World* 108.3 (2018): 528-47.

[406] I have borrowed this term from Christopher MacEvitt.

iii. A Condensed Survey of Partition Truces

Thirty-six Frankish-Muslim partition truces can be identified for the entire two hundred-year period of Frankish rule (see Appendix F). In many cases the sources preserve details on their intended length, and sometimes we can learn about their actual length from accounts of breaches. Prior to the establishment of the Zengid sultanate, most partition truces were "unequal" in that one party to the truce had to transfer a share of its annual revenue to the other party. These early partition truces were actually just a means by which a dominant party could impose tributary status on a weaker party. A grouping of these agreements can be found in the first two decades following the establishment of the Frankish polities along the Coastal Plain. In one of the first Frankish-Muslim truces, ratified in 498/1104, the entire revenue of the hinterland of Tripoli was surrendered to the Franks, according to the account of Ibn al-Qalānisī. In return, the agreement guaranteed safe-passage to Muslims leaving and entering the town.[407] Presumably, a Frankish official collected the revenues from a Muslim tax-collector or the revenue was sent as tribute with a Muslim escort.

Thenceforth, it became common practice for Muslim rulers in the early sixth/twelfth century to surrender half of the revenues of specified districts in their successive truces with various Frankish representatives, and the first real Frankish-Muslim partitions

[407] Ibn al-Qalānisī, *Tārīkh Dimashq*, 238; trans. Gibb, *Damascus Chronicle*, 68; see also Abū al-Muẓaffar, *Mir'āt al-zamān*, 8; trans. McGuckin de Slane, *Extraits*, 528; Nakamura Taeko, "Territorial Disputes Between Syrian Cities and the Early Crusaders: The Struggle for Economic and Political Dominance", in *The Concept of Territory in Islamic Law and Thought*, ed. Yanagihashi Hiroyuki (London: Kegan Paul International, 2000), p. 107. The *RHC* edition of *Mir'āt* shows several omissions for the year 498/1104 and there are other discrepancies for the same entry. I am following R. Stephen Humphreys (1977) in relying on the facsimile edition of J. R. Jewett, which is based on the Lindberg manuscript housed at the Yale University Library under the classmark 136.

appeared only a few years later. In 502/1108-9, Baldwin I, king of Jerusalem, and Ẓāhir al-Dīn Ṭughtakīn, *atabeg* and *de facto* head of the Būrid dynasty in Damascus, concluded a truce that initiated the partition of the revenues of the Sawād and Jabal ʿAwf in the Transjordan.[408] A partition over the Biqāʿ was added in the following year along with a new stipulation against Frankish raiding activity.[409] The model was then applied by Baldwin's successor and the people of Aleppo during a period of interregnum. Additional lands were partitioned with the Franks in 515/1121 after Najm al-Dīn Īlghāzī took over the government of Aleppo.[410] The location of the partition lands east of the Jordan River as well as the simple fact of Aleppo's anarchy at the time clearly points to the unequal nature of the truce and the regional hegemony of the Franks.

Indeed, these partitions were all located in close proximity to centres under Muslim rule, though the actual partition lands could have been inhabited by Muslims as well as non-Muslims. Some of the partition lands were located beyond outlying Frankish centres, such as the Jabal ʿAwf and al-Jabanīya in the Transjordan, which suggests that these partitions served a function other than simply stabilizing volatile frontiers or safeguarding

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408 Ibn al-Qalānisī, *Tārīkh Dimashq*, 263-4; trans. Gibb, *Damascus Chronicle*, 92; Ibn al-Athīr, *Al-Kāmil*, X: 467; trans. Richards, *Chronicle*, I: 142; Abū al-Muẓaffar, *Mirʾāt al-zamān*, 17; trans. McGuckin de Slane, *Extraits*, 537; Roger Le Tourneau, *Damas de 1075 à 1154* (Damascus: Institut Français de Damas, 1952), p. 88; cf. Ronnie Ellenblum, "Were there Borders and Borderlines in the Middle Ages? The Example of the Latin Kingdom of Jerusalem", in *Medieval Frontiers: Concepts and Practices*, eds. David S. H. Abulafia, Nora Berend (Aldershot: Ashgate, 2002), p. 111, n. 17; Holt, "Qalāwūn's Treaty", 806; Holt, *Early Mamluk Diplomacy*, 8; Taeko, "Territorial Disputes", 109. Cf. McGuckin de Slane's translation: « le Saouad et Djebel-ʿAouf seront partagés en trois zones, dont une sera occupée par les Francs et les deux autres par les Musulmans. » (in *RHC Or*., III: 537).

409 Ibn al-Qalānisī, *Tārīkh Dimashq*, 264-5; trans. Gibb, *Damascus Chronicle*, 93; Abū al-Muẓaffar, *Mirʾāt al-zamān*, 19; trans. McGuckin de Slane, *Extraits*, 537; Le Tourneau, *Damas*, 89; Taeko, "Territorial Disputes", 109; Ronnie Ellenblum, *Crusader Castles and Modern Histories* (Cambridge: Cambridge University Press, 2007), p. 132, n. 35.

410 Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 198-9 [pp. 562-3]; trans. Barbier de Meynard, *Chronique d'Alep*, 627-8; Taeko, "Territorial Disputes", 112.

economic advantages that would otherwise be jeopardized.[411] Furthermore, the partition lands in the truces above appear to have all remained under the rule of the Būrids in the case of the truces between Damascus and Jerusalem, and under the Aleppans in the case of truces with either Antioch or Jerusalem.

Apart from serving as border-stabilizing mechanisms in the literal sense of the term and ensuring economic benefits from lands that would otherwise be subject to repeated raiding, these early partitions served as mechanisms for projecting Frankish power into neighbouring domains.[412] The Franks' use of partitions in Muslim territory to allocate to themselves half-portions of revenue was a humiliating gesture that symbolically placed the tribute-paying party in a position of subservience. This state of subjection had certainly contributed to the crisis of rulership in Aleppo, where rulers were forced into conceding to Frankish demands as a result of limited military resources. Rulers in this predicament also risked losing legitimacy and popular support when challenged by contenders who did satisfy popular demands for the *jihād al-Ifranj*.[413] The rulers of Damascus, too, were pressured into concluding truces with the Franks and submitting to their demands for a

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411 Cf. Köhler, *Allianzen und Verträge*, 418; trans. Holt, *Alliances and Treaties*, 312.

412 As Prof. Northrup notes, royal titles can similarly serve as a means of projecting authority. The forthcoming doctoral research of Kari North (History Department, University of Toronto) is anticipated for its insight on titulary.

413 The career of "Fakhr al-Mulūk" Riḍwān ibn Tutush ibn Alp Arslan is a case in point. The Franks pressured Riḍwān into surrendering Muslim women refugees from al-Athārib to the Franks and he was also forced to sell them parcels (*kharibāt*) of land, which further exacerbated a hunger crisis in Aleppo. Riḍwān had to rely on the support of the Nizārī Ismāʿīlīs, which brought further challenges to his legitimacy. Riḍwān's son and successor, Alp Arslān, attempted to restore Aleppo's fortunes although he operated under the tutelage of the eunuch Luʾluʾ and was eventually assassinated by him. Luʾluʾ sent to Damascus and elsewhere for aid but none was forthcoming and he was compelled to sell yet more of Aleppo's territorial holdings to pay for the upkeep of the troops. His successor, Yārūqtāsh, even sold the Franks the privilege of organizing the *hajj* caravan from Aleppo. During this period many Aleppans fled to Baghdad to appeal for aid and Luʾlu"s *muqaddam al-ʿaskar* even invited the sultan Mawdūd ibn Altuntash of Mosul to take over the town. See Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 156-74, 179-82 [pp. 520-38, 543-6]; trans. Barbier de Meynard, *Chronique d'Alep*, 598-608, 612-4; C. E. Bosworth, "Riḍwān", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), VIII: 519. On the religious duties involved in organizing the *hajj*, see al-Māwardī, *Al-Aḥkām al-sulṭānīya*, 139-44; trans. Wahba, *Ordinances of Government*, ch. 10 (pp. 121-6).

share of their revenue, though Ṭughtakīn had been in a slightly better position.[414] And since the partition lands remained under Aleppan or Damascene rule, nothing prevented the Franks from carrying out raids at will if such raids could accrue immediate economic or political benefit.[415]

These early partition truces coincided with the expansion and consolidation of the Principality of Tripoli, the County of Antioch, and the Kingdom of Jerusalem.[416] In theory, the Franks could have conquered the weaker among their divided neighbours. As noted above, Aleppo, for one, was more and more restricted in terms of its sphere of political activity. Yet the Franks were restrained in turn by a simple fact of demographics and needed to limit their expansion out of strategic considerations.[417] Therefore, they hoped to prop up the weaker among their Muslim neighbours as counterweights to more formidable powers in Anatolia or Iraq by securing truces with them whilst still benefitting from their produce and revenue. Frankish domination was thus spatially extended through the use of partition truces as a substitute for a strategy of empire-building that would have been possible but for the limited resources and organizational capacity of the Antiochene and Jerusalemite ruling houses. The local Muslim rulers were faced with the difficult decision of

[414] Hence Ṭughtakīn refused to renew an onerous partition truce with the Franks in 512/1118 though it is possible that he was eventually forced to acquiesce. See Ibn al-Athīr, *Al-Kāmil*, X: 543; trans. Richards, *Chronicle*, I: 196; for continuations of the truce: Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 196-7, 199, 231-4 [pp. 560-1, 563, 595-8]; trans. Barbier de Meynard, 625-6, 628, 651-4; Muḥammad ibn ʿAlī al-ʿAẓīmī, *Tārīḫ Ḥalab*, ed. Ibrāhīm Zaʿrūr (Damascus: [s. n.] 1984), pp. 370, 375; Köhler, *Allianzen und Verträge*, 135, 142-4, 151-2, 170; trans. Holt, *Alliances and Treaties*, 106, 111, 112-3, 118-9, 132; Holt, *Mamluk Diplomacy*, 9; Taeko, "Territorial Disputes", 109-10, 112.

[415] The Franks broke their first partition truce with Ṭughtakīn soon after its conclusion in 503/1109-10 as well as the partition truces of 515/1121 and c. 532/1137-8. Riḍwān broke the partition truce of 503/1109-10. Ibn al-Qalānisī, *Tārīkh Dimashq*, 264-5, 278, 414; trans. Gibb, *Damascus Chronicle*, 93, 113, 246; Abū al-Muẓaffar, *Mirʾāt al-zamān*, 19; trans. McGuckin de Slane, *Extraits*, 537; Ibn ʿAbd al-Ẓāhir, *Al-Rawḍ al-zāhir*, 382; Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 155, 200-1, 264 [pp. 519, 564-5, 628]; trans. Barbier de Meynard, *Chronique d'Alep*, 596-7, 629, 675, and see 601-2 (ed. al-Dahhān, II: 163-4 [pp. 527-8]).

[416] Ellenblum, *Crusader Castles*, 149-64; Friedman, "Peacemaking Perceptions", 235-6.

[417] See Chapter 1, section i.

risking outright conquest (by Frankish or other Muslim armies) by refusing to conclude truces with the Franks, or, concluding truces in hopes that these might provide security for a time.

Najm al-Dīn Īlghāzī of Mardin and ʿImād al-Dīn Zengi of Mosul also capitalized on the weakness of Aleppo to set forth their claims to territory in Northern Syria. Moreover, they both realized the potential of new rhetoric and military resources directed at the four-fold Aleppan-Antiochene/Damascene-Jerusalemite political configuration. Īlghāzī's attempt to expand his territorial holdings fell short since he died of illness in 516/1122.[418] Zengi was much more successful in consolidating his small empire and offered Aleppo a stable, legitimate government geared towards war with the Franks. He undoubtedly reinforced the legitimacy of his rule over its population, regardless of its Sunnī and Shīʿī composition, by the very act of disengaging from the Franks and refusing outright to partition Aleppo's revenues. Instead of rapprochement, he forced the Franks to partition the revenues of one of *their* towns for the first time.

The gradual nature of this shift leading away from the former political balance is reflected by the fact that only the revenue of a single Frankish town near Antioch, namely Ḥārim (Ln. Harenc), was partitioned at first.[419] Overall, we have evidence for five truces concluded between ʿImād al-Dīn Zengi and various Frankish rulers. One of these truces may have included a partition of Ḥārim, an outpost between Antioch and Aleppo held by the Franks (see Appendix F, nr. 62). Zengi's successor, Nūr al-Dīn Maḥmūd ibn Zengi (541-

[418] Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 206 [p. 570]; trans. Barbier de Meynard, *Chronique d'Alep*, 634.
[419] Ibn al-Athīr, *Al-Kāmil*, X: 663; trans. Richards, *Chronicle*, I: 283. This truce appears to have been broken by the Franks in 532/1138 (Ibn al-Qalānisī, *Tārīkh Dimashq*, 414; trans. Gibb, *Damascus Chronicle*, 246; Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 264 [p. 628]; trans. Barbier de Meynard, *Chronique d'Alep*, III: 675) and by Turcomans (al-Turkumān) in 535/1140-1 (*Kamāl al-Dīn, Zubdat al-ḥalab*, II: 275 [p. 639]; trans. Barbier de Meynard, *Chronique d'Alep*, 683).

569/1146-1174), engaged more with the Franks while expanding his father's territories. He concluded at least thirteen truces with the Franks, two of which involved the partition of the revenues of Ḥārim and Tiberias. Both towns remained under Frankish rule.[420] Zengid hegemony was thus perpetuated through the imposition of tributary status on the Franks of Jerusalem in the form of revenue partitions.

Nūr al-Dīn's unintended successor, Ṣalāḥ al-Dīn, had a crisis of legitimacy on his hands when he first entered Syria in 569/1174 as a contender for the Zengid throne. Unsurprisingly, he concluded his first partition truce with the Franks of Jerusalem in 571/1176. The locations of the partition lands in the truce are reminiscent of the early partitions between Aleppo and Antioch and between Damascus and Jerusalem: al-Ṣalt (Ln. Saltus Muratus?), al-Balqāʾ, Jabal ʿAwf, al-Ḥayānīya (modern Kfar Hananya), the Sawād, and the Jawlān region up to the Ḥawrān (roughly the modern Golan Heights).[421] That these areas lay close to Aleppo and Damascus suggests a very cautious approach on the part of Ṣalāḥ al-Dīn, who was also occupied with Seljuk rulers in Diyār Bakr and scions of the Zengid house in the Jazīra. His frontiers also needed troops and supplies; he dispatched his brother Shams al-Dawla Tūrānshāh to Yemen in 567/1173 and his nephew's *mamlūk*, Sharaf al-Dīn Qarāqūsh, campaigned in Cyrenaica/Libya from 568/1172.[422] These partitions were practically concessions on the part of the sultan. Essentially, he had

[420] For the first partition truce of 551/1156, see: Ibn al-Qalānisī, *Tārīkh Dimashq*, 516; trans. Gibb, *Damascus Chronicle*, 327; William of Tyre, *Chronicon*, 18.11 (II: 836), trans. Babcock, Krey, *Deeds*, II: 255-6; Ibn al-Athīr, Al-Kāmil, XI: 208; trans. Richards, *Chronicle*, II: 79; Abū Shāma, Al-rawḍatayn, I: 328-9; trans. A.-C. Barber de Meynard, 83-4. Ibn al-Qalānisī includes tribute owed by the Damascenes to the Franks in this truce. For the second partition truce, concluded in 559/1164, see Ibn al-Athīr, *Al-Kāmil*, XI: 304; trans. Richards, *Chronicle*, II: 149; and see Ibn al-Athīr, *Al-Tārīkh al-bāhir*, 122-5; trans. *Histoire des atabecs*, 219-23 for the whole campaign.

[421] Ibn al-Athīr, *Al-Kāmil*, XI: 435; trans. Richards, *Chronicle*, II: 247; al-ʿImād al-Kātib, quoted in Abū Shāma, *Al-Rawḍatayn*, II: 389, 470, III: 289; trans. Barbier de Meynard, 181-2, 191, 277.

[422] Eddé, *Saladin*, 76-8; Amar S. Baadj, *Saladin, the Almohads and the Banū Ghāniya: The Contest for North Africa (12th and 13th centuries)* [Studies in the History and Society of the Maghrib 7] (Leiden: Brill, 2015), pp. 121-6.

relinquished half of the revenues from these areas (and compromised his legitimacy as a *mujāhid*) in exchange for much needed security on his western Syrian flank.

Following the conclusion of the Third Crusade—and after the sultan had reached the apogee of his career—the situation had reversed and the partition lands once again lay unambiguously within Frankish domains. In the Treaty of Jaffa, ratified in 588/1192, the Franks conceded half of the revenues of Lydda, Ramla, Darum "and other places".[423] Although Ṣalāḥ al-Dīn handed the towns of Lydda and Ramla to the Franks in the final stage of negotiations, the fact that the Franks sent a share of their revenues to the Ayyūbids from territories under their dominion can be read as an indication of Ṣalāḥ al-Dīn's dominance over the Franks. Following the sultan's death in 589/1193, the fragmentation of the Ayyūbid confederacy into rival city-states was reflected in small-scale partitions involving one or two towns, though many of these remained in the hands of the Franks, indicating continued Ayyūbid hegemony.

Sources on the Treaty of Jaffa contain no details on the demographic composition of the partition lands of places like Lydda or on the conditions of resident Franks or minorities. There were Melkite Christians living under Frankish rule in the environs of

[423] Abū al-Maḥāsin, *Al-Nawādir*, 219-22, 228, 232-4; trans. Richards, *Excellent History*, 214-6, 224, 228-9, 230-1; for scattered references on the truce, see ʿIzz al-Dīn ibn Shaddād, *Al-Aʿlāq al-khaṭīra fī dhikr umarāʾ al-Shām wa-al-Jazīra: Tārikh Lubnān, Filisṭīn, wa-al-Urdunn*, ed. Sāmī al-Dahhān (Damascus: Institut Français de Damas, 1963), p. 99; idem, *Al-Aʿlāq al-khaṭīra fī dhikr umarāʾ al-Shām wa-al-Jazīra: Tārikh Lubnān, Filisṭīn, wa-al-Urdunn*, éd Anne-Marie Eddé, « La description de la Syrie du nord de ʿIzz al-Dīn ibn Šaddād: *Al-Aʿlāq al-ḫaṭīra fī ḏikr umarāʾ al-Šām wa'l-Ǧazīra* », *Bulletin d'études orientales* 32/33 (1980-1981): 308; trans. Anne-Marie Eddé, *Description de la Syrie du nord* (Damascus: Institut Français de Damas, 1984), p. 255; *Guillaume de Tyr*, 151-2, 179; *Old French Continuation*, trans. Edbury, 120-1, 136; Aḥmad ibn Muḥammad ibn Ibrāhīm ibn Khallikān, *Wafayāt al-aʿyān wa-anbāʾ abnāʾ al-zamān*, eds. Yūsuf ʿAlī Ṭawīl, Maryam Qāsim Ṭawīl, 5 Vols. (Beirut: Dār al-Kutub al-ʿIlmīya, 1998), V: 550; trans. William McGuckin De Slane, in *RHC Or*., III: 424; Abū Shāma, *Al-Rawḍatayn*, IV: 314-5, 321-3, 325-30, 440; trans. A.-C. Barbier de Meynard, 65-6, 72-4, 77-80 [poem omitted], 115-6; Ibn al-Athīr, *Al-Kāmil*, XII: 85-7; trans. Richards, *Chronicle*, II: 401-2 [this cannot be the truce mentioned by ʿAbd al-Laṭīf al-Baghdādī, quoted in Ibn Abī Uṣaybiʿa, *ʿUyūn al-anbāʾ*, excerpt translated by William McGuckin De Slane, in *RHC Or*., III: 437]; and for references in the secondary literature, see *inter alia*: Stevenson, *Crusaders*, 286; Hamilton, *Latin Church*, 243; John L. La Monte, "The Lords of Sidon in the Twelfth and Thirteenth Centuries", *Byzantion* 17 (1944): 198-9; Jacoby, « Casaux de parçon », 120.

Lydda, Jews in both Lydda and Ramla in the sixth/twelfth century, and Muslims who had remained in post-conquest Beirut, Jabala, and Jubayl.[424] There is no indication that any special protections were granted to the inhabitants of the places partitioned in the Treaty of Jaffa or in earlier truces, although the Treaty did entail a general safe-passage for any and all travellers, and Christian pilgrims in particular. The Treaty is relevant in the framework of the current chapter only insofar as it granted privileges to Christian canons residing in the Church of the Holy Sepulchre in Jerusalem. The church remained a type of loosely defined protectorate of Richard's successor, Humphrey IV of Toron (d. 1198 = 594-5 AH), and the canons in Jerusalem enjoyed a type of "extraterritoriality" or territorial immunity under Ayyūbid sovereignty despite their identification as Franks or Latins.[425] Their upkeep in the city may have been supported by a Frankish endowment or alms. It is not clear if they paid any taxes to the sultan.

In the same way that Ṣalāḥ al-Dīn drew on early partition truces for a model, the Treaty of Jaffa and its Ayyūbid iterations also furnished a model for Baybars when he negotiated his first partition truce with John of Ibelin, the ruler of the reduced Kingdom of

[424] Al-ʿImād al-Kātib, quoted in Abū Shāma, *Al-Rawḍatayn*, III: 323; trans. Barbier de Meynard, 309; see also Fulcher de Chartres, *Historia Hierosolymitana*, 613; MacEvitt, *Rough Tolerance*, 131; Prawer, *Latin Kingdom*, 62, 116; Hillenbrand, *Islamic Perspectives*, 359; Mayer "Latin Kingdom", 180-1; Köhler, *Allianzen und Verträge*, 81. On Muslim visitors to the region of Antioch, see Yāqūt ibn ʿAbd Allāh al-Ḥamawī, *Kitāb muʿjam al-buldān*, eds. Aḥmad ibn al-Amīn Shinqīṭī, Muḥammad Amīn Khānjī, 5 Vols. (Cairo: Maṭbaʿat al-Saʿādah, 1906), II: 646-7; Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 264 [p. 628]; trans. Barbier de Meynard, *Chronique d'Alep*, 675; Elizabeth Campbell, "A Heaven of Wine: Muslim-Christian Encounters at Monasteries in the Early Islamic Middle East", doctoral dissertation submitted to the University of Washington, 2009, p. 200.

[425] I borrow this concept from Daniel Goffman. See *Ottoman Empire*, 186-7; and idem, "Negotiating with the Renaissance State: The Ottoman Empire and the New Diplomacy", in *The Early Modern Ottomans: Remapping the Empire*, eds. Virginia H. Aksan, Daniel Goffman (Cambridge: Cambridge University Press, 2007), p. 66. Goffman, however, traces the origins of extraterritorial immunity only to the Ottoman period. The term *ḥimāya* appears in the Mamlūk truces with reference to former holdings of the Nizārī Ismāʿīlīs under the "protection" of the Hospitallers. Al-Qalqashandī, *Ṣubḥ al-aʿshā*, XIV: 36.

Jerusalem, in 659/1261.[426] This truce established partitions over the revenues of Lydda and Beirut, both under the rule of the Franks. Thereafter, both Baybars and Qalāwūn used partition truces as a means of control and symbolic dominance, once they had each in turn consolidated their rule over Egypt and Greater Syria. Baybars could easily have eliminated the remaining Frankish holdings—and Qalāwūn nearly did—just as the Franks of Antioch and Jerusalem could have conquered Aleppo in the 510s/1110s and Damascus in the 520s/1120s.[427] But Baybars preferred to avoid conflict with the Frankish coastal towns partially to forestall future crusades. Once again, a strategy that combined diplomacy and coercion served to prevent the union of hostile neighbours.[428] For Baybars, the partitions were not simply a means of securing revenue and stabilizing the frontier. Rather, the evidence suggests that the partition truce had become a proven and institutionalized means of political control and symbolic subjection even before the Mamlūk period. Moreover, his use of partitions adds another dimension to the variety of policies he adopted towards subjected Christians in the context of his negotiations with the Franks.

[426] Abū Shāma Shihāb al-Dīn al-Maqdisī, *Dhayl ʿalā al-rawḍatayn*, ed. Muḥammad Zāhid ibn al-Ḥasan Kawtharī (Cairo: Dār al-Kutub al-Malikīya, 1366/1947, reprint Beirut 1974), p. 214; trans. Barbier de Meynard, in *RHC Or*., V: 204 [abridged]; Ibn ʿAbd al-Ẓāhir, *Al-Rawḍ al-zāhir*, 113-4, 117-9; Jamāl al-Dīn ibn Wāṣil, *Mufarrij al-kurūb fī akhbār Banī Ayyūb*, Bibliothèque nationale de Paris, MS 1702, f. 398r, lines 16-8 [which follows Abū Shāma closely]; Rukn al-Dīn Baybars al-Manṣūrī al-Dawādārī, *Zubdat al-fikra fī tārīkh al-hijra*, British Library MS Add. 23325, f. 48v-49r; Baybars al-Manṣūrī, *Zubdat al-fikra*, 67; Holt, *Mamluk Diplomacy*, 13-15, cf. 69; Irwin, *Early Mamluk Sultanate*, 48; Lewicka, *Šāfiʿ ibn ʿAlī's Biography*, 31; and Thorau, *Lion of Egypt*, 143 for the manuscript sources listed in this footnote.

[427] Ibn al-Athīr, *Al-Tārīkh al-bāhir*, 32-3; trans. *Histoire des atabecs*, 59-1; on Frankish attacks on Damascus in 520/1126-7 and 523/1129, see Ibn al-Qalānisī, *Tārīkh Dimashq*, 339; trans. Gibb, *Damascus Chronicle*, 174; Ibn al-Athīr, *Al-Kāmil*, X: 639, 657-8; trans. Richards, *Chronicle*, I: 265-6, 278-9.

[428] Thorau, *Lion of Egypt*, 121-2; Holt, *Mamluk Diplomacy*, 12-3; Humphreys, "Ayyubids", 12-6.

iv. Minority Protections and Implications of Shared Jurisdiction in Partition Truces

The seventh/thirteenth century truces, concluded between various Frankish rulers and representatives of the Latin Kingdom at Acre and the Mamlūks, contain the first known details on the shared administration of the partitions. We can either propose a leap in the complexity of Mamlūk truces or we can suggest that sixth/twelfth century agreements, like the Treaty of Jaffa, were equally elaborate. And the agreement of 498/1104 (examined in Chapter 4, section iii.), as described by Ibn al-Qalānisī, guaranteed safe travel to and from the city of Tripoli. The original agreement might have had clauses granting protections of different kinds. In any case, a span of decades separated the Mamlūk truces from their predecessors, and the extensive detail in Mamlūk truces provide evidence for the later stages of the institutionalization of diplomatic practices, between the sixth/twelfth and the seventh/thirteenth centuries (see Chapter 7).

The earliest Mamlūk-period truce preserved in its entirety is the one ratified by Baybars and the Order of the Hospitallers on 4 Ramaḍān 665/28 May 1267. It was his sixth truce concluded with the Franks and fifth partition truce. This truce contains thirty-three stipulations dealing specifically with the conditions of minorities in the partition lands, summarized and consolidated in the following categories:[429]

[429] I have counted separate stipulations that deal with like matters as single occurrences.

1. Protection over the *munāṣafa* lands and its inhabited spaces (*ʿimāra*)

2. Shared taxation of all who enter the *munāṣafa* lands

3. Prevention of Muslim raiding activity in the *munāṣafa* lands

4. Protection of livestock of any persons who enter the *munāṣafa* lands

5. Appointment of a Mamlūk deputy (*nāʾib*) to handle disputes between peasants (*fallāḥīn*)

6. Exemption of peasants from corvée labour (*sukhr*)

7. Privilege of all inhabitants of the *munāṣafa* lands to return

8. Safe-passage for Frankish and Muslim pastoralists (see nr. 21)

9. Appointment of deputies to collect taxes

10. Settlement of 30 households (*thalāthīn baytan*) by Mamlūks in the *munāṣafa* lands

11. Reparation for injured persons or stolen goods

12. Reparation for raids by Nizārī Ismāʿīlīs

13. Safe-passage for peasants and exemption from taxes while travelling

14. Protection for the "utterly destitute" (*al-ṣaʿālīk*) from mischief

15. Procedure for tax evasion by all who enter the *munāṣafa* lands

16. Safe-passage for merchants and travellers

17. Dismissal of headmen (*al-ruʾasāʾ*) according to protocol

18. Procedure for claims and restitutions

19. Blood-money for murders

20. Repatriation of possessions of fugitives

21. Safe-passage for Bedouin, Kurdish, and Turkic pastoralists

Most of these stipulations concern the safety of minorities living in and passing through the partition lands (1, 3, 6, 8, 10-14, 16, 21) and several safeguard personal property (4, 20). Other stipulations pertain to fair taxation and allocation of revenue (2, 9, 15), consequences for acts of aggression, procedures for investigations, administering oaths, and conducting trials (18, 19), and the appointment of officials (5, 9, 17). In a way, this truce and all subsequent Frankish-Mamlūk partition truces were a combination of a general peace (*ṣulḥ*), a contractual partnership (*sharikat al-ʿaqd*) defined by shared capital and profit, and an all-encompassing safe-passage (*amān*) for inhabitants and travellers.

By including all communities and individuals within the *munāṣafa* lands as part of the agreement, both parties were compelled to strive towards the welfare of the same people. The complex status of these communities and individuals is encapsulated in the section pertaining to the appointment of a Mamlūk deputy (5):

> And it is incumbent that the authority over the peasants of the *munāṣafa* territory in terms of "loosening and binding"[430] and taxation falls back on the deputy of our master the sultan, with the approval of the deputy from the House of the Hospitallers, on condition that he adjudicates according to the law of Islam if he is a Muslim, and if he is a Syrian Christian [Naṣrānīyan] that he be judged as required in the state of Ḥiṣn al-Akrād [Crac des Chevaliers].[431]

Thus, the peasants (*fallāḥīn*) resided within territories held by the Franks but came under the authority of a Mamlūk deputy, who in turn operated with the approval (*bi-ittifāq*) of the Hospitaller deputy. If wayward individuals committed acts of violence, the legal framework

[430] *al-ḥabs wa-al-iṭlāq*, i.e. the authority to rule and judge. This appears to be a formulaic phrase reminiscent of the *ḥall* and *ʿaqd* in *ahl al-ḥall wa-al-ʿaqd* ("the people of loosening and binding") used to refer to *ʿulamāʾ* representative of the *umma* fit to confirm the appointment of a legitimate *imām*. See al-Māwardī, *Al-Aḥkām al-sulṭānīya*, 30-9; trans. Wahba, *Ordinances of Government*, ch. 2 (pp. 23-31); Arjomand, "Legitimacy", 240-1. See also Ibn al-Qalānisī, *Tārīkh Dimashq*, 336; trans. Gibb, *Damascus Chronicle*, 170 for a similar phrase: *mā rattabahu wa-qarrarahu* ("what he arranged and decided").

[431] *Wa-ʿalā an yakūn amr fallāḥī balad al-munāṣafāt fī al-ḥabs wa-al-iṭlāq wa-al-jibāya rājiʿan ilā nāʾib Mawlānā al-Sulṭān, bi-ittifāq min nāʾib Bayt al-Isbitār, ʿalā an yaḥkum fīhi bi-sharīʿa al-Islām in kān Musliman, wa-in kān Naṣrānīyan yaḥkum fīhi bi-muqtaḍā dawlat Ḥiṣn al-Akrād.* Al-Qalqashandī, *Ṣubḥ al-aʿshā*, XIV: 32.

of the truce thus allowed for the possibility of reparation for any residents or travellers within the *munāṣafa* territory regardless of confessional identity by ensuring that the injured person or their kin was fairly compensated.

The next stipulation of the truce provides an even stronger indication of how the welfare of any peasants was directly contingent on the cooperation between Baybars and the Hospitallers: "And the peasants living anywhere in the *munāṣafa* territory shall be exempt from corvée labour from both sides."[432] This appears to have been a joint effort to ensure the highest yields possible in the partitioned lands by reducing any extraneous pressures on peasants. It is interesting to note that reference to corvée labour (*sukhr*) reappears here as an institutionalized protection granted to rural subjects. The placement of this stipulation following the one on the appointment of the Mamlūk deputy indicates that the peasants could complain to their appropriate representative, who would then raise the matter with the representative of the Hospitaller Order or the Mamlūk court. Neither of the two parties could abuse the peasants, and each side held the other mutually accountable for any acts of violence. In this respect, we can see that the *munāṣafa* concept reshaped the idea of authority by requiring the consent and cooperation of both parties in any legal and administrative dispute. The authority of both parties was therefore also diminished in terms of how each party could behave toward subjects that would otherwise have been solely under one ruler. The truce of 665/1267 thus limited the power that the Hospitallers and the Mamlūks had over their peasants, until it was violated in 668/1269.[433]

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[432] *Wa-an yakūn al-fallāḥūn al-sākinūn fī bilād al-munāṣafāt* [sic] *jamīʿan muṭlaqīn min al-sukhr min al-jānibīn.* Al-Qalqashandī, *Ṣubḥ al-aʿshā*, XIV: 33.

[433] Reuven Amitai-Preiss, "Mamluk Perceptions of the Mongol-Frankish Rapprochement", *Mediterranean Historical Review* 7 (1992): 58.

At first, it appears that Baybars did not obtain special privileges for the Muslims in the *munāṣafa* territory, though the overall agreement reflected the ascendance of Mamlūk power in the Coastal Plain and Greater Syria. Yet Baybars actually extended his authority over Muslims (and perhaps even the Naṣrānīyūn) living within Frankish domains through the stipulation on the appointment of a Mamlūk deputy. In other words, the special privilege for the Muslims in the *munāṣafa* territory was that they now had a Mamlūk deputy as their representative in legal disputes, even if they continued to live in Frankish domains. If we analyze the entire document in this light, we can imagine that Muslim merchants in the partition territory could, and perhaps did, submit complaints to the deputy, or that Muslims formerly forced to repair the walls of Frankish fortifications could no longer be pressed into service.

Furthermore, the confessional identity of the residents in the *munāṣafa* territory is referred to only in the stipulation quoted above. In other cases, reference is made only to the ethnic identity (Bedouin, Kurdish, Turkoman) of pastoralists entering the *munāṣafa* lands. And the confessional identity of travellers and merchants is not mentioned at all. The Frankish-Mamlūk partition truces thus contain notions of authority and responsibility tied to the treatment of minorities and subjects living in partition lands regardless of their confessional identity. The Mamlūks came to exercise their power not by raiding Frankish partition territories, but by enforcing favourable policies towards their co-religionists remaining under Frankish rule. This development was a culminating point closely linked to an earlier discourse on restraint found in the Arabic chronicles and parallels the patterns seen in the truce negotiations and violations analyzed in the previous two chapters.

v. Conclusions

The appearance of safeguards for minorities and subjects in partition truces, and the reader's recollection of the many instances of truce-breaking in the previous chapter, begs the question of how effective these agreements were. That these agreements did not cease to be ratified or renewed in the entire period of Frankish-Muslim contact indicates that they must have functioned, if to varying degrees. A notion of accountability, even in rudimentary forms, and the recourse of minorities to their representatives must have pressured the parties to the truce into upholding their promises. The pressure faced by the Frankish authorities of Acre, for example, and the desperate need of the Franks to secure truces towards the end of the reign of Baybars, and during the reign of Qalāwūn, suggests that Muslims living in or visiting Frankish domains must have experienced improvements in their conditions as well as improved access to law courts and prayer spaces. There is no mention of *sharīʿa* courts or mosques in the Frankish-Mamlūk truces, which may suggest that the Franks were accustomed to granting their Muslim subjects status akin to the Dhimma that the Christians had under Muslim rule (see Chapter 2, section vi). In other words, it may have been a widely accepted practice that did not require specific mention in the terms of the agreement. Stable diplomatic relations did not always translate into positive or amicable relations between unequal rulers, but they tended to improve the relations between rulers and their non-co-religionist minorities.

A second point is that a notion of what we would call shared sovereignty was absent in Latinate and Islamic conceptions of property and territory. The evidence points to single and not shared dominion (or sovereignty in modern parlance) over partition territories,

even if administrative responsibilities and revenue were divided.[434] The term 'dominion' is thus strictly a translation for the Latin *dominium*, which signified absolute ownership of property, to refer to a ruler's undisputed authority over territory.[435] This concept of *dominium* is roughly analogous to several Islamic concepts, including *wilāya* (guardianship, deputyship, authority), *sulṭān* (authority, government, ruler), or the more specific *imāma* (leadership), signifying at once the authority and prerogative of a leader of the Muslim community, all concepts elaborated in *siyāsa* treatises dealing with rulership.[436] I have come across no evidence that *dominium* was shared between rulers, as is the case in modern condominium treaties.[437] Instead, the partition territory ultimately belonged to one side; the two rulers only shared the power to collect taxes, and later, to adjudicate disputes.

Furthermore, the evidence suggests that the dominant ruler tended to impose partition truces on a neighbour to benefit from revenue whilst avoiding responsibility for the inhabitants of the partitioned land. The dominant ruler also avoided the expenditure and risk of conquering a neighbour's territory through this device. Sometimes, one of the parties to the agreement took advantage of the situation and raided partition lands for short-term gains. Such breaches were no different from breaches of other types of

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[434] See Janet Coleman, "Medieval Political Theory c.1000–1500", in *The Oxford Handbook of the History of Political Philosophy*, ed. George Klosko (Oxford: Oxford University Press, 2011), pp. 180-1, 189 for a discussion of medieval sovereignty and the applicability of the modern term.
[435] Jonathan William Robinson, "William of Ockham's Early Theory of Property Rights: Sources, Texts, and Contexts", PhD Dissertation, University of Toronto, 2010, p. 94 and Coleman, "Political Theory", 189, 196, 198, 200-1, who focus on the relation of *dominium* to property; cf. Bisson, *Crisis*, 3, who equates the term with patrimony or the "value or extent of such dependencies [of peasants or vassals]" on their lords.
[436] Roughly: since territorial connotations implicit in the Latin term are absent in the Arabic equivalents. Al-Māwardī, *Al-Aḥkām al-sulṭāniyya*, 3. Sections of *Al-Aḥkām al-sulṭāniyya* were incorporated in a *siyāsa* manual dedicated to al-Ghūrī Qanṣūh (906-922/1501-1516). Yossef Rapoport, "Royal Justice and Religious Law: Siyāsah and Shariʿah under the Mamluks", *Mamlūk Studies Review* 16 (2012): 96; Arjomand, "Legitimacy", 233, cf. 230, see also 232, 243.
[437] Malcolm N. Shaw, *International Law*, 7th Edn (Cambridge: Cambridge University Press, 2014), pp. 165-6.

agreements. Injunctions in Islamic law and notions of ideal rulership in Islamic territories may have inhibited Muslim rulers from breaking partition truces (or other truces) and from attacking non-combatants under the dominion of their Christian rivals. Frankish rulers may have also been restrained by Papal-Roman law and by the ever-increasing severity of the consequences of breaching agreements.

Thus, one party always remained the ultimate proprietor of territory even if two parties shared jurisdiction (Ar. *imāra*; Ln. *jurisdictio*) over the same territory. As seen above, Baybars exercised authority over Hospitaller territorial holdings even if the holdings did not belong to him by legal right or by conquest. This corroborates the earlier explanation for why the Franks of Antioch and Jerusalem in the early sixth/twelfth century preferred to keep partitions under the dominion of their neighbours, who would be the ones ultimately responsible for their upkeep as well as their protection. Likewise, Baybars preferred to partition the revenues of territories belonging to the Franks, since they in turn would find it in their interest to maintain and protect these lands. No party would raid its own territory and the "outside" party benefitted from this assurance. The partition truce thus provided a formal framework for the protection of subjects and minorities whilst reflecting and reinforcing the political relations between rulers. This type of agreement had developed in part from, and alongside, a tradition preserved in some Arabic accounts according to which several pre-Mamlūk rulers had, on mostly informal levels, inhibited acts of violence against rural populations that inhabited areas beyond the frontiers of Dār al-Islām.

Chapter 7: From Practice to Theory: The Development of Chancery Practices and Diplomatic Offices in the Ayyūbid Sultanate and the Kingdom of Jerusalem

This chapter examines a more technical aspect of the shared minority discourse: the theory and practice of long distance and high profile negotiations across cultural and linguistic barriers. The premise for this chapter is that the range and scope of diplomatic activity across the Mediterranean had a bearing on the formation and elaboration of diplomatic conventions and offices.[438] Long-distance communication between caliphs and emperors or between popes and sultans required more refined and compelling displays of authority than negotiations between lords of neighbouring city-states. Envoys represented and reflected their rulers in their own status and comportment, and the authority and honour of rulers therefore depended on capable and professional dignitaries accompanied by ostentatious retinues and lavish gifts.[439] Long-distance diplomacy also required careful planning and execution; it was a costly and risky enterprise to send officials and gifts across vast expanses.

As discussed in Chapter 3, the Norman and Seljuk expansion did not end interfaith diplomacy, but rather limited its scope and briefly disrupted the shared minority discourse in which the ʿAbbāsids, Byzantines, Carolingians, Fāṭimids, and Western Umayyads had participated. In other words, the Mediterranean became politically fragmented in the initial stages of conquest as the first of the Norman and Seljuk leaders focused their activities in their immediate vicinities in order to first consolidate their rule. Accordingly, there was

[438] I borrow Anne Broadbridge's definition of diplomatic conventions as "the protocol and etiquette that govern encounters between the representatives of different states." Anne F. Broadbridge, "Diplomatic Conventions in the Mamluk Sultanate", *Annales Islamologiques* 41 (2007): 97.
[439] See Cutler, "Gifts and Gift Exchange", 260 and Broadbridge, "Diplomatic Conventions", 107-8, 112, 115 for the Mamlūk period.

less long-distance diplomacy and less involvement of extraterritorial minorities in negotiations during the late fifth/eleventh and early sixth/twelfth centuries, if the survival of sources reflects the overall trend accurately.

The Mediterranean-wide minority discourse was then revived in the Anjouin/Ayyūbid Period after a long series of local diplomatic agreements between Franks and Muslims that encompassed minorities more and more over time. A new process of codification of chancery and diplomatic manuals and practices took place under the Mamlūks. Formal diplomatic conventions and offices thus developed in the periods in which trans-Mediterranean diplomatic activity reached peak levels, but their institutionalization seems to have lagged behind by a period of decades. In this chapter, I present observations on three aspects of the piecemeal institutionalization of diplomatic practices: the office of diplomat; the production of diplomatic literature; and the expansion of officialdom, i.e. the conventions and frame of mind needed for high-level interaction.

i. Envoys and Diplomatic Offices

The courts of the five empires shared in common the careful appointment of envoys. The ʿAbbāsid caliphate—the only political entity to outlast the other four—continued this tradition, and chroniclers meticulously note the names of persons appointed to carry out missions on behalf of the caliph.[440] This fact alone attests to the importance that the role entailed, as well as the esteem that its incumbents enjoyed. Details on official envoys

[440] Einhard also recorded the names of the envoys exchanged between Charlemagne and Hārūn al-Rashīd. William of Tyre omits their names, although he follows Einhard closely. William of Tyre, *Chronicon*, 1.3 (I: 108); trans. Babcock, Krey, *Deeds*, I: 64.

exchanged between regional rulers following the Norman-Seljuk interlude, on the other hand, are sparser, and this may reflect a more informal *modus operandi*. I test this hypothesis with reference to William of Tyre, Abū al-Maḥāsin, and Ibn al-Athīr, on the premise that the institutionalization of diplomatic offices is reflected in the level of detail and the kinds of details found in the sources.

I begin by analyzing William of Tyre's treatment of Byzantine, Frankish, and Muslim envoys in the *Chronicon*. William provides the names of delegates in many of the cases that involved missions to the Byzantine emperor or other missions of high import.[441] For example, he names the envoys dispatched by Duke Godfrey of Bouillon (d. 1100) to the emperor Alexius I (1081-1118): Conon de Montague, Baldwin du Bourg, and Henry d'Esch—all of whom were nobles.[442] At Antioch, the crusaders also sent nobles on a mission to the emperor, and William again names them: "Hugh the Great, brother of the king of France, and Baldwin, count of Hainault".[443] High-ranking envoys were also sent to the Byzantine court to arrange for King Baldwin III's marriage in 552/1157: "Attard, archbishop of Nazareth, and Humphrey of Toron, the royal constable".[444] William also names the envoy of the Nizārī Ismāʿīlīs to King Amaury in 569/1173, "Boaldelle"

[441] William of Tyre, *Chronicon*, 1.6 (I: 113); trans. Babcock, Krey, *Deeds*, I: 69. He names the envoy of the Fāṭimid caliph al-Ẓāhir, John Carianis, who was a monk living in Jerusalem, and comments on his pious character. The caliph dispatched him to Constantinople to restore relations after the deprivations of al-Ḥākim.
[442] William of Tyre, *Chronicon*, 2.7 (I: 171); trans. Babcock, Krey, *Deeds*, I: 127.
[443] *...viri nobiles et clarissimi, dominus videlicet Hugo Magnus, domini Philippi Francorum regis frater, et dominus Balduinus Hainaucorum comes.* William of Tyre, *Chronicon*, 7.1 (I: 343); trans. Babcock, Krey, *Deeds*, I: 298.
[444] *…Aitardus Nazarenus archiepiscopus, dominus quoque Henfredus de Torono regius constabularies…* William of Tyre, *Chronicon*, 18.16 (II: 834); trans. Babcock, Krey, *Deeds*, II: 265; see also 18.31 (II: 857); trans. Babcock, Krey, *Deeds*, II: 289. William refers to Humphrey II of Toron (1117-1179), the predecessor of Humphrey IV of Toron, who helped negotiate the Treaty of Jaffa in 588/1192.

(ʿAbdullah), whom he describes as "wise and eloquent, skilled in counsel, and fully instructed in the doctrine of his master."[445]

And in 566-7/1171, at the height of Zengid power, the Franks sent appeals to the West and to Constantinople. King Amaury, William reports, was urged to send "a person so gifted with wisdom, eloquence, and authority that by his tact and ability he might incline the mind of that great prince to comply" and send aid to the beleaguered Franks.[446] At first sight, this passage reads like a word of advice, and one cannot help but wonder whether it was William himself who urged special care in the selection of an envoy at such a critical time.[447] But what follows suggests another case of William offering praise to the king, his patron.[448] William recounts that Amaury decided to himself appear at the Byzantine court, accompanied by a retinue of nobles. The king thus became his own envoy.[449] This account provides some indication of the expectations that could be had of a royal envoy despite this unusual turn of events.

In other passages, William describes the noble character of persons appointed as envoys by referring to their character, status, or abilities. The envoys of the Būrids were

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[445] *…virum prudentem, in consiliis providum, eloquentem et magistri sui doctrinam redolentem…* William of Tyre, *Chronicon*, 20.29 (II: 954); trans. Babcock, Krey, *Deeds*, II: 392; Bogdan Smarandache, "The Franks and the Nizārī Ismāʿīlīs in the Early Crusade Period", *Al-Masāq: Islam and the Medieval Mediterranean* 24.3 (2012): 233, 239.

[446] *Addunt etiam ut talis ad eum persona dirigatur, que prudential, facundia et auctoritate tanti principis animum ad nostra sciat et possit inclinare desideria…* William of Tyre, *Chronicon*, 20.22 (II: 941); trans. Babcock, Krey, *Deeds*, II: 378.

[447] William had returned from Rome by this time. William of Tyre, *Chronicon*, 20.17 (I: 934); trans. Babcock, Krey, *Deeds*, II: 369; Edbury, Rowe, *William*, 13.

[448] See William of Tyre, *Chronicon*, 19.3 (II: 867); trans. Babcock, Krey, *Deeds*, II: 298-9; Hans E. Mayer, "The Beginnings of King Amalric of Jerusalem", in *The Horns of Ḥaṭṭīn. Proceedings of the 2nd Conference of the Society for the Study of the Crusades and the Latin East: Jerusalem and Haifa 2-6 July 1987*, ed. Benjamin Z. Kedar (Jerusalem: Yad Izhak Ben-Zvi Israel Exploration Society, 1992), p. 121.

[449] William of Tyre, *Chronicon*, 20.23 (II: 943-4); trans. Babcock, Krey, *Deeds*, II: 380.

"wise and discreet men", according to William.[450] The envoys sent to the Byzantine emperor around 535/1140 were also "men of experience and judgment" who swayed the opinion of their audience.[451] A couple of years later King Fulk dispatched "Anselm, bishop of Bethlehem; Geoffrey, abbot of the Temple of the Lord, a man skilled in the Greek language; and Rohard, the castellan of the citadel of Jerusalem" to the Byzantine emperor.[452] This is the first indication in the *Chronicon* of an attempt on the part of the Franks to engage with their neighbours in their own language. A short while later, a man was appointed as envoy on account of "his familiarity with the language in use" despite his "doubtful repute".[453] The Franks sent Geoffrey to Constantinople again, no doubt on account of his knowledge of Greek, along with "the noble Joscelin Pisellus". In response, Manuel I Komnenos (1143-1180) sent his own "illustrious chancellor" (*illustris apocrisiarius*) to the Franks.[454] In 556-7/1161, the emperor sent off "the illustrious Gundostephan, a blood relation of the emperor [and] the supreme interpreter of the palace, Trifulus" to negotiate a marriage and alliance with the Franks.[455] William here recognizes an official title associated with a diplomatic role.

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[450] *…viros prudentes et discretos…* William of Tyre, *Chronicon*, 13.13 (I: 601); trans. Babcock, Krey, *Deeds*, I: 19. See also 17.30 (II: 803); trans. Babcock, Krey, *Deeds*, II: 232.

[451] *…sensus habentes exercitatos… nuntios…* William of Tyre, *Chronicon*, 15.5 (I: 680); trans. Babcock, Krey, *Deeds*, II: 101.

[452] *…dominum Anselmum Bethleemitam episcopum, dominum Gaufridum abbatem Templi Domini, Greca lingua peritum, Rohardum arcis Ierosolimitane castellanum…* William of Tyre, *Chronicon*, 15.21 (II: 703); trans. Babcock, Krey, *Deeds*, II: 126.

[453] *…quidam qui suspectus habebatur... tamen propter lingue commercium, quod habere dicebatur familiare plurimum…* William of Tyre, *Chronicon*, 16.12 (II: 731); my translation, cf. trans. Babcock, Krey, *Deeds*, II: 155.

[454] William of Tyre, *Chronicon*, 18.24 (II: 846); trans. Babcock, Krey, *Deeds*, II: 277. The first set of negotiations is omitted from the account of Ioannes Kinnamos (c. 1143-1185): *Epitomē tōn katorthomatōn tō makaritē Vasilei kai porphyrogennētō Kyrō Iōannē tō Komnēnō*, trans. Charles M. Brand, *Deeds of John and Manuel Comnenus* (New York: Columbia University Press, 1976). But see pp. 96-7 for later negotiations that took place between Manuel and the Franks of Antioch between 1149 and 1152. As Babcock and Krey note (n. 86, II: 290), William's chronology is not reliable here.

[455] *…vir illustris Gundostephanus, eiusdem domini imperatoris consanguineous, secundus erat maximus palatinorum intrepretum Triphilus...* William of Tyre, *Chronicon*, 18.30 (II: 855); trans. Babcock, Krey, *Deeds*, II: 287. Emily Babcock and A. C. Krey suggest that William had learned of these envoys from an oral source

William also names and describes the envoys sent by the emperor to the Franks in 572-3/1177, one of whom also held an official title: "Lord Andronicus, surnamed Angelus, the son of the emperor's sister; the *Megaltriarch* John, a very magnificent man; Count Alexander of Conversana in Apulia, a nobleman of high rank; and Georgius of Sinai, a member of the imperial court."[456] William himself had accompanied Byzantine envoys on their return to Constantinople and served as one of the envoys sent to the Third Lateran Council of 1179.[457]

Several observations can be made on the basis of William's descriptions of envoys in the *Chronicon*: (a) the first crusaders tended to appoint nobles for diplomatic missions; (b) once established in their rule, the Franks sent church officials along with nobles on their embassies and attempted to engage with the primary language of the recipient court; (c) William was impressed by the envoys sent to the Franks by the Byzantine emperor; and (d) at least one Byzantine envoy was a bilingual, if not multilingual, official in the Byzantine court. Abū al-Maḥāsin was also impressed by a Byzantine envoy sent to Ṣalāḥ al-Dīn in 585/1189, recalling that "he was an old man, of good character, venerable in appearance, and knowledgeable in Arabic, Greek, and Frankish."[458] His account thus corroborates William of Tyre's observation on the linguistic abilities of the Byzantine envoys.

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based on his spelling. See Babcock, Krey, *Deeds*, n. 85 (II: 287). See also 20.4 (II: 915); trans. Babcock, Krey, *Deeds*, II: 347.

[456] *…dominus Andronicus, qui cognominatur Angelus, domini imperatoris ex sorore nepos, Iohannes, vir magnificus, megatriarcha, vir nobilis Alexander comes Cupersanensis de Apulia, Georgius Sinaites, imperialis aule familiaris.* William of Tyre, *Chronicon*, 21.16 (II: 981-2); trans. Babcock, Krey, *Deeds*, II: 420. See also 21.17, 22.4 (II: 983, 1010); trans. Babcock, Krey, *Deeds*, II: 422, 449 and Babcock, Krey, *Deeds*, n. 28 (II: 420).

[457] William of Tyre, *Chronicon*, 20.4, 21.26 (II: 915-6, 996-7); trans. Babcock, Krey, *Deeds*, II: 348, 436.

[458] *wa-kāna shaykhan hasan al-khulq, muhīban, ʿārifan bi-al-ʿArabīya wa-al-Rūmīya wa-al-Firanjīya*. Abū al-Maḥāsin, *Nawādir*, 133, my translation.

Like the Franks, Muslim rulers tended to appoint envoys on an *ad hoc* basis, prior to the Mamlūk period.[459] Our most detailed account of the experiences of a medieval envoy comes from the poet and courtier, Usāma ibn Munqidh. He served the *atabeg* ("father-tutor") of Damascus, Muʿīn al-Dīn ʿUnūr, as an envoy to the Kingdom of Jerusalem in the early 530s/late 1130s. Usāma was familiar with Frankish customs and also knew the "Frankish" language, like the elderly Byzantine envoy described by Abū al-Maḥāsin. Yet, there was no official office of diplomat or a terminology associated with Usāma's appointment, even though he helped negotiate Anjouin-Būrid agreements. In Usāma's time, the office of envoy as a permanent office did not exist; any person appointed to serve as an envoy was called a *rasūl* (messenger) in the sixth/twelfth century.[460]

Abū al-Maḥāsin also describes the ad hoc appointment of Humphrey IV of Toron (d. 594-5/1198) by Richard I and Ṣalāḥ al-Din when the immediate circumstances required the appointment of a go-between (Humphrey was appointed on account of his knowledge of Arabic).[461] The two rulers relied on him throughout the negotiations leading up to the Treaty of Jaffa (588/1192), though several of Ṣalāḥ al-Dīn's courtiers also acted as messengers during the same discussions.[462] Little is known about the sultan's messengers or how they were selected. It is possible that they were chosen on account of their status and rank as military men in the sultan's *halqa* (inner court circle). And Abū al-Maḥāsin

[459] Vaiou, *Tenth-Century Treatise*, 46. According to Ġirīġūriyūs ibn Hārūn, Abū al-Maḥāsin himself was appointed as an envoy to the caliph. Ġirīġūriyūs ibn Hārūn, *Makhtbhanuth*, trans. Ephrem-Isa Yousif, *Saladin et l'épopée des Ayyoubides : Chroniques syriaques* (Paris: L'Harmattan, 2010), p. 90.
[460] Cambridge MS Qq. 232, f. 23v, line 1, and line 7, where another member of the Banū Munqidh is referred to as *al-rasūl*; see also Vaiou, *Tenth-Century Treatise*, 264. In the Mamlūk period, the term *qussād* was also used, with reference to special secret envoys. Müller, Pahlitzsch, "Monastery of the Holy Cross", 277.
[461] Abū al-Maḥāsin, *Al-Nawādir*, 163; trans. Richards, *Excellent History*, 153; Ġirīġūriyūs ibn Hārūn, *Makhtbhanuth*, trans. Yousif, 100.
[462] Abū al-Maḥāsin, *Al-Nawādir*, 165, 172-3, 182, 201, 218-9; trans. Richards, *Excellent History*, 155, 163, 173, 193, 212. See also Hillenbrand, *Islamic Perspectives*, 331-3.

comments on their ability to find common-ground with the warlike Richard in several instances.[463]

Abū al-Maḥāsin notes that one courtier in particular, al-ʿAdl, was involved in most of the negotiations with Humphrey. We may thus differentiate between envoys simply transmitting messages and envoys involved in the actual process of negotiation, which required immediate translation and the confidence of the ruler. This is a crucial distinction. The fact that Abū al-Maḥāsin describes the process of appointing Humphrey to liaise between the two rulers suggests that his appointment as a quasi-arbitrator was unusual, at least for the parties involved at that time. Furthermore, Abū al-Maḥāsin does not provide an Arabic term for Humphrey's appointment, which also indicates the novelty of the situation. The two rulers found mere message-bearing go-betweens inadequate for negotiating and navigating complex offers and counter-offers. It is arguable that the sheer length of the negotiations leading up to the Treaty of Jaffa caused a subtle change in how Richard and Ṣalāḥ al-Dīn understood the envoy's role, which also left its mark on the historical record. Even the ʿAbbāsid court appears to have had no official office of "diplomat". Ibn al-Athīr lists over thirty *ʿulamāʾ* appointed individually to serve as envoys for single caliphal diplomatic missions between 491/1097 and 629/1231.[464] Other local rulers also appointed respectable scholars or family members, particularly women, to act as mediators, intercessors, and negotiators. Ṣalāḥ al-Dīn also acted as arbiter in a dispute between two feuding rulers, thereby assuming the role of envoy between the two.[465]

[463] Abū al-Maḥāsin, *Al-Nawādir*, 201, 227-8; trans. Richards, *Excellent History*, 193, 223.
[464] E.g. Ibn al-Athīr, *Al-Kāmil*, XI: 509; trans. Richards, *Chronicle*, II: 303.
[465] Ibn al-Athīr, *Al-Kāmil*, XI: 465-6; trans. Richards, *Chronicle*, II: 272.

In the Mamlūk period, there is evidence for a change in the conceptualization of the envoy. The appearance of the term *tarjumān* in Mamlūk sources, preceded by the definite particle *al-* suggests that the royal interpreter became an official diplomatic office sometime in the seventh/thirteenth century.[466] The institutionalization of other offices is also attested for the period by the expansion of titles and ranks, various *dīwān*s (bureaus), and the *barīd* (postal service) of the Mamlūk sultanate.[467] The office of Dawādār (Keeper of the Seal, or Pencase Bearer, according to Robert Irwin), for example, was reintroduced by Baybars and occupied by a Mamlūk *amīr* appointed to the role.[468] Later on, the office was split into several *dawādār* offices, including the Dawādār Kabīr (Grand Keeper of the Seal).[469] Baybars also appointed four chief *qāḍī*s to preside over the four Sunnī legal schools in Cairo, which was part of a wider strategy to consolidate administrative control and to somewhat diminish the dominance of the Shāfiʿī school, favoured by Ṣalāḥ al-Dīn.[470] The title of Kātib al-Sirr (Chancery Scribe; Sultan's Secretary; literally: "scribe of secrecy") was introduced during the reign of Qalāwūn and differentiated from other offices of the Dīwān al-Inshāʾ (Chancery), though it took some time for new titles to become

[466] The term *al-tarjumān* recurs in al-Maqrīzī's (766-845/1364-1442) *Al-Sulūk li-maʿrifat al-mulūk*; al-Ṣafadī's (696-764/1297-1363) *Al-Wāfī bi al-wafayāt* and *Aʿyān al-ʿaṣr wa-aʿwān al-naṣr*; and Ibn Hajar al-ʿAsqalānī's (773-852/1372-1449) in *Inbāʾ al-ghumr bi-anbāʾ al-ʿumr* and *al-Durar al-kāmina fī aʿyān al-miʾa al-thāmina.*

[467] Émile Tyan, *Le notariat et le régime de la preuve par écrit dans la pratique du droit musulman* (Harissa: Saint Paul, 1959), pp. 18-9; Thorau, *Lion of Egypt*, 99; Müller, Pahlitzsch, "Monastery of the Holy Cross", 264; Northrup, *Slave to Sultan*, 200-2; Frédéric Bauden, « D'Alexandrie à Damas et retour : la poste privée à l'époque mamlouke à la lumière d'une commission accomplie pour le compte d'un Vénitien (821 A.H./1418 È.C.) », in *Egypt and Syria in the Fatimid, Ayyūbid and Mamluk Eras VI: Proceedings of the 14th and 15th International Colloquium organized at the Katholieke Universiteit Leuven in May 2005 and May 2006*, eds. U Vermeulen, K. d'Hulster [Orientalia lovaniensia Analecta 183] (Leuven: Uitgeverij Peeters, 2010), p. 158.

[468] Irwin, *Early Mamluk Sultanate*, 39.

[469] David Ayalon, "Dawādār", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), II: 171.

[470] Rapoport, "Siyāsah and Shariʿah", 76-7, 80-1, 100; see also Northrup, *From Slave to Sultan*, 242; Arjomand, "Legitimacy", 252; and the study by Joseph H. Escovitz: *The Office of Qâḍî al-Quḍât in Cairo under the Baḥrî Mamlûks* (Berlin: Klaus Schwarz Verlag, 1984).

standardized.[471] In the Ayyūbid period, only the chief scribe in Greater Syria was called al-Kātib (the Scribe). The chief scribe in Egypt and the court biographer of Ṣalāḥ al-Dīn both shared titles that contained *qāḍī* (judge) and had little correspondence to their actual roles.

The shift towards a proliferation and standardization of government offices stemmed in part from the nature of the Mamlūk political system and internal rivalries. This meant that titles were sometimes created or re-assigned duties depending on political circumstances and on the esteem in which certain *amīr*s were held.[472] Yet, the Mamlūk sultans also realized the importance of appointing highly-trained secretaries and scribes to draw up legal documents and to compose official correspondence in a systematic manner, and they undoubtedly expected and required that their envoys conduct negotiations with the same level of professionalization.

The Latin chronicles lack parallel evidence for the development of Frankish diplomatic offices, which could be a result of the relatively short lifespan of the Frankish polities in the East and their abrupt ending. William of Tyre uses the Latin terms *legatus*, *missus*, and *nuntius* interchangeably to describe envoys or messengers sent between various Christian and Muslim polities.[473] He occasionally uses the term *intrepres* in the case of discussions that spanned a language barrier, though *legatus* and *nuntius* also serve the same purpose. Apart from two exceptions, his use of these terms does not indicate any official post or office. The first exception is the Byzantine court interpreter, discussed

[471] Northrup, *From Slave to Sultan*, 239-40. The *kātib* as an Islamic office can be traced back to the Umayyad period. R. Sellheim, D. Sourdel, B. Fragner, Riazul Islam, "Kātib", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), IV: 755.
[472] Northrup, *From Slave to Sultan*, 241; Irwin, *Early Mamluk Sultanate*, 39; Broadbridge, "Diplomatic Conventions", 104.
[473] For example: William of Tyre, *Chronicon*, 1.3 (I: 108): trans. Babcock, Krey, *Deeds*, I: 64. William uses both terms for envoys of Charlemagne and Hārūn al-Rashīd, but the text containing *legati* is from Einhard.

above. Papal envoys are the second exception: they are consistently called *legatus*/*legati* and appear to have served longer terms.

The papacy also employed official interpreters, like the Byzantines.[474] Yet the tasks assigned to papal legates is not always clear, as seen in the case of Roger of Sicily, and their duties still had limited bearing on the terminology applied. For example, a *legatus* dispatched by the pope in 1139 to resolve a dispute between the prince of Antioch and patriarch used his authority to excommunicate the latter.[475] But a papal legate appointed by Pope Pascal II (1099-1118) had little authority in representing the pope or effecting papal policy during the "Eastern Investiture Controversy".[476] In sum, there seems to be little functional differentiation between the *legati*, *missi*, *nuntii*, and *interpretes* in the *Chronicon*; any of these terms could encompass messengers or envoys endowed with the authority of negotiating or arbitrating. A term like *al-tarjumān* was simply not necessary in the sixth/twelfth century since a permanent diplomatic office had not appeared.

However, there are indications of institutionalization elsewhere in the Frankish administration.[477] Arabic-speakers, mostly Eastern Christians, served as translators (Ln: *interpretes*; Ar. *tarjumān*) and mediators between Frankish lords and urban or rural communities.[478] Others served as clerks and tax collectors (Ln. *custodes*, *scribae*, *scribani*)

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[474] Benjamin Z. Kedar, "Religion in Catholic-Muslim Correspondence and Treaties", in *Diplomatics in the Eastern Mediterranean 1000-1500: Aspects of Cross-Cultural Communication*, eds. Alexander Daniel Beihammer, Maria G. Parani, Christopher David Schabel (Leiden: Brill, 2008), p. 412.
[475] William of Tyre, *Chronicon*, 15.16 (II: 696): trans. Babcock, Krey, *Deeds*, II: 119-20.
[476] Marshall W. Baldwin, Marshall N. Baldwin, "The Papacy and the Levant during the Twelfth Century", *Bulletin of the Polish Institute of Arts and Sciences in America* 3.2 (1945): 281-2; see also John Gordon Rowe, "The Papacy and the Ecclesiastical Province of Tyre", *Bulletin of the John Rylands Library* 43 (1962): 178, and 162 for the investiture controversy in the Latin East.
[477] The bureaucratization of the papacy was closely tied to popes' widening claims of authority. See Morris, *Papal Monarchy*, 430, 433, 436; Baldwin & Baldwin, "Papacy and the Levant", 278; Beihammer, "Eastern Mediterranean Diplomatics", 16; Catlos, *Latin Christendom*, 351.
[478] Jonathan S. C. Riley-Smith, "Some Lesser Officials in Latin Syria", *The English Historical Review* 87.342 (1972): 15-9; idem, "Survival", 11; Hubert Houben, "Intercultural Communication: The Teutonic Knights in

in the Frankish ports and in the countryside. Ibn Jubayr observed port clerks at work in Acre in 580/1184 and mentions the tax-farming contracts that they obtained from the Frankish authorities. He calls their overseer *ṣāḥib al-dīwān* (supervisor of the bureau) and also states his official title: al-Ṣāḥib (the Supervisor).[479] Many Eastern Christian headmen (Ar. *ruʾasāʾ*; Ln. *rayses*) also served as tax collectors and intermediaries between the Franks and their subjects living in towns and villages. These posts were recognized and standardized offices in the Frankish fiscal administration.[480]

ii. The Process

Peter M. Holt discusses the role of diplomats and scribes in the Mamlūk period in drawing up truces and terms of surrender with reference to the chancery encyclopaedia of al-Qalqashandī.[481] I have inserted the relevant section from the *Ṣubḥ al-aʿshā* below:

> …And it used to be that agreement and understanding between the two sides would be concluded section by section: the scribe of each of the two sides, Frankish and Muslim, wrote it out with mundane expression and without edification for the purpose of saving time until they reached the final agreement and understanding for all sections of the truce. And at that time the scribe of the Muslim king would write it on the basis of the draft, to match what the Frankish scribe wrote. Because if the scribe of the sultan altered it in the drafting by improving the writing, first, the

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Palestine, Armenia, and Cyprus", in *Diplomatics in the Eastern Mediterranean 1000-1500: Aspects of Cross-Cultural Communication*, eds. Alexander Daniel Beihammer, Maria G. Parani, Christopher David Schabel (Leiden: Brill, 2008), p. 142.

[479] Ibn Jubayr, *Riḥla*, 275; trans. Broadhurst, *Travels*, 317; Riley-Smith, "Lesser Officials", 22-5; idem, "Survival", 14.

[480] Riley-Smith, "Lesser Officials", 1-2; Riley-Smith, "Survival", 13-4; MacEvitt, *Rough Tolerance*, 149-56; cf. Attiya, "Knowledge of Arabic", 207-8.

[481] Holt, "Qalawun's Treaty", 804; idem, "Treaties", 68-71; idem, "Baybars' Treaty", 242-5; idem, *Early Mamluk Diplomacy*, 5-8; see also Robert Irwin, "The Mamluk Conquest of the County of Tripoli", in *Crusade and Settlement: Papers Read at the First Conference of the Society for the Study of the Crusaders and the Latin East, and Presented to R. C. Smail*, ed. Peter Edbury (Cardiff: University College Cardiff Press, 1985), pp. 246-9; for sources, see Northrup, "Sultan al-Manṣūr Qalāwūn", nn. 248, 251 (p. 248); idem, *From Slave to Sultan*, nn. 295, 296 (p. 104).

> Frankish scribe would deny it, and then they would see that it is not what was agreed upon on account of their failure in the Arabic language, so the scribe needed to retain the state [of the draft] at which the two scribes agreed upon its drafting. And the aforementioned text was copied to the word – as absurd as it is to say – and lacked harmony in its arrangement so that it could be completed according to the sections in the agreement as they were added over time… may God Almighty enrich us from the need for such a thing again. And I have learned that the custom ran, that if the truce was written, it was written to be linked to the oath that the sultan, or his appointed deputy, would swear to conclude the truce, including its sections and conditions, and that the one appointed by the non-Muslim king would swear to conclude the truce, to whom he [the king] gave permission to conclude it, by a letter authorizing this. Or the text [of the oath] would be delivered to the non-Muslim king so that he could swear to it, and he would write to this effect in his hand, and it would be returned to the court of the sultan.[482]

The text provides sound documentary evidence for negotiations as recorded later by a chancery scribe. The *Ṣubḥ al-aʿshā* is thus not only a chancery manual, defined as a text meant to convey instructions or templates for a carrying out particular processes.[483] It is also a chancery encyclopaedia or chancery *memoire* that ossified practices which had been developing before al-Qalqashandī's time.[484] In this regard, it is irrelevant whether or not he meant to provide practical templates for truces and thereby provide guidance for future scribes. Rather, his priority was to collect a complete set of specimens. He even notes that the Frankish-Mamlūk truces lack eloquence and should be relegated to the chancery

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[482] *Fa-yaqaʿu al-ittifāq wa-al-tarāḍī bayn al-jihatīn ʿalā faṣl faṣl* [sic], *fa-yaktabuhu kātib min kulli jihatin min jihatī al-Muslimīn al-Firanj bi-al-faḍ mubtadhala ghayr rāʾiqa, ṭalaban li-l-surʿa, ilā an yantahi bi-him al-ḥāl fī al-ittifāq al-tarāḍī ilā ākhir fuṣūl al-hudnā, fa-yaktabuhu kātib al-malik al-Muslim ʿalā ṣūra mā jarā fī musawwada, li-yuṭābiq mā kataba bihi kātib al-Firanj; idh law ʿaddala fihā kātib al-sulṭān ilā al-tartīb, wa-taḥṣīn al-alfāẓ wa-balāgha al-tartīb, la-ākhtalla al-ḥāl fihā ʿammā wāfaq ʿalayhi kātib al-Firanj awwalan, fa-yankarūnahu hīnaʾidhin, yarūna annahu ghayr mā waqaʿa ʿalayhi al-ittifāq li-quṣūrihim fī al-lugha al-ʿArabīya, fa-yaḥtāj al-kātib ilā ibqāʾ al-ḥāl ʿalā mā tawāfaq ʿalayhi al-kātibān fī al-musawwada. Wa-bi-al-jumla fa-innamā dhakarat al-nuskh al-madhkūra – ʿalā sakhāfa lafẓihā wa-ʿadama insijām tartībihā – li-ishtamālihā ālā al-fuṣūl allatī jarā fihā al-ittifāq fihā taqaddama min al-zamān… aghnānā Allāh taʿalā ʿan al-ḥāja ilayhā. Wa-aʿlama annahu qad jarat al-ʿāda, annahu idhā kutibat al-hudnā, kutiba qarīna yamīn yaḥlif bihā al-sulṭān aw nāʾib al-qāʾim bi-ʿaqd al-hudnā, ʿalā al-tawīya bi-fuṣūlihā wa-shurūṭihā; wa-yamīn yaḥlif ʿalayhā al-qāʾim ʿan al-malik al-kāfir bi-ʿaqd al-hudnā, mimman yaʾdhan lahu fī ʿaqdihā ʿanhu, bi-kitāb yaṣdur ʿanhu bi-dhālik, aw tujahhaz nuskhatuhā ilā al-malik al-kāfir li-yaḥlif ʿalyhā, wa-yaktab khaṭahu bi-dhālik, wa-tuʿād ilā al-abwāb al-sulṭānīya.* Al-Qalqashandī, *Ṣubḥ*, XIV: 70-1.

[483] Cf. Frédéric Bauden, "Like Father, Like Son: The Chancery Manual (*Qalāʾid al-jumān*) of al-Qalqashandī's Son and its Value for the Study of Mamluk Diplomatics (Ninth/Fifteenth Century) (*Studia Diplomatica*, I)", *Eurasian Studies* 11 (2013), 181, 195.

[484] See Bauden, "Like Father, Like Son", 206; cf. Broadbridge, "Diplomatic Conventions", 106.

dustbin.[485] The process of negotiation that he recorded simply reflects a reality that al-Qalqashandī associated with the Mamlūk sultans. If we compare his records to earlier descriptions of negotiations as recounted by chroniclers, we can readily detect parallels. That is to say, the process that al-Qalqashandī describes was a later stage, or even the last stage, in the long development of practices of communication and negotiation between Franks and Muslims that had started soon after the First Crusade.

For example, the first partition truce that the Franks and Muslims concluded in 502/1108-9 involved a similar process. According to Ibn al-Qalānisī, "the compact was concluded on this proposition [i.e. the partition of the Sawād and the Jabal ʿAwf], and the terms written down on this basis."[486] A few years later, in 507/1114, Baldwin I, the king of Jerusalem, and Ẓāhir al-Dīn Ṭughtakīn, the *atabeg* of Damascus, both swore oaths following discussions.[487] In the first case above, the chronicler states that negotiations preceded the drafting of terms and, in the second case, the swearing of oaths. Oaths and the drafting of terms could have been involved in both cases, or they were new steps brought to bear on the negotiation process, which Ibn al-Qalānisī considered important to note. I think that the latter case is more likely, though we must account for the fact that the genre of the *Tārīkh Dimashq*, being a city chronicle in annalistic format, would describe such processes in less detail than a chancery manual. Yet, an account in William of Tyre's chronicle also suggests the novelty of swearing oaths in interfaith negotiations; he notes that the inhabitants of

[485] Al-Qalqashandī, *Ṣubḥ*, XIV: 70.
[486] *fa-inʿaqada al-amr ʿalā hādhihi al-qaḍaya, wa-kutiba al-sharṭ ʿalā hādhihi al-nīya*. Ibn al-Qalānisī, *Tārīkh Dimashq*, 263-4; trans. Gibb, *Damascus Chronicle*, 92.
[487] Ibn al-Qalānisī, *Tārīkh Dimashq*, 303; trans. Gibb, *Damascus Chronicle*, 147; Holt, *Mamluk Diplomacy*, 8; Taeko, "Territorial Disputes", 107-8, 114.

Ascalon specifically asked the Franks to confirm their capitulation terms by swearing oaths when they agreed to surrender their town in 548/1153.[488]

The inhabitants of towns that were threatened by the Franks would be particularly attuned to the risks of capitulation, as a result of the reputation of the first crusaders.[489] It is arguable that the public nature of oath-swearing ceremonies held the parties involved to greater account. Recalling that the Franks did operate according to a framework for ruler-minority relations, as discussed in Chapter 3, we may speculate that Frankish rulers who swore oaths to protect subjected communities could be expected by their own subjects to uphold their agreements. Oaths were an integral part of alliance-making, feudal relationships, and court proceedings between Christians in medieval Europe, and violations of oaths often elicited the criticism of chroniclers, as seen in the case of William of Tyre (Chapter 2, section v.).[490] In the Islamic world, oaths were ubiquitous in political agreements, economic transactions, and family relationships. Discussions on oaths can also

[488] William of Tyre, *Chronicon*, 17.30 (II: 803); trans. Babcock, Krey, *Deeds*, II: 232. For the conquest of Ascalon, see Ibn al-Qalānisī, *Tārīkh Dimashq*, 496-7; trans. Gibb, *Damascus Chronicle*, 314-7; Ibn al-Athīr, *Al-Kāmil*, XI: 188-9; trans. Richards, *Chronicle*, II: 64-5; William of Tyre, 17.21-30 (I: 789-803); trans. Babcock, Krey, II: 217-24, 225-32; Abū Shāma, *Rawḍatayn*, trans. De Meynard, in *RHC Or*., IV: 77-8; cf. Ibn Muyassar, *Tārīkh Miṣr*, trans. *Annales d'Égypte*, 507; Stevenson, *Crusaders*, 171, n. 3; Pringle, *Corpus*, I: 61; Phillips, "Latin East", 112; Prawer, *Latin Kingdom*, 93; Prawer, *Crusader Institutions*, 85-6

[489] The crusaders massacred the inhabitants of Tripoli in 502/1109 after offering the inhabitants a safe-conduct. Abū al-Muẓaffar, *Mir'āt al-zamān*, 8, 17; trans. McGuckin de Slane, *Extraits*, 527, cf. 536; cf. Ibn Taghrī Birdī, *Al-Nujūm al-zāhira*, 177; trans. *Extraits*, 489-90. The Byzantines also broke their safe-conduct agreement when they conquered Buzā'a (Ln. Pisa) in 532/1138. Ibn al-Qalānisī, *Tārīkh Dimashq*, 416; trans. Gibb, *Damascus Chronicle*, 248-50; Ibn al-Athīr, *Al-Kāmil*, XI: 56; trans. Richards, *Chronicle*, I: 339-40; Ibn al-Athīr, *Al-Tārīkh al-bāhir*, 55; trans. *Histoire des atabecs*, 99; 'Izz al-Dīn ibn Shaddād, *Al-A'lāq al-khaṭīra*, ed. Eddé, 374; trans. Eddé, *Description*, 75-6; Kamāl al-Dīn, *Zubdat al-ḥalab*, II: 265 [p. 629]; trans. Barbier de Meynard, *Chronique d'Alep*, 675; cf. Abū al-Muẓaffar, *Mir'āt al-zamān*, 98; trans. McGuckin de Slane, *Extraits*, 570 [the *RHC* version is truncated].

[490] See "Love and Complaints in Angouleme: Agreement between Count William of the Aquitanians and Hugh IV of Lusignan (1028)", in *Reading the Middle Ages: Sources from Europe, Byzantium, and the Islamic World*, ed. Barbara H. Rosenwein (Peterborough: Broadview Press, 2006), pp. 213-9; Robert Bartlett, *Trial by Fire and Water: The Medieval Judicial Ordeal* (Oxford: Clarendon Press, 1986); Thea Cervone, *Sworn Bond in Tudor England: Oaths, Vows and Covenants in Civil Life and Literature* (London: McFarland and Company, 2011), esp. pp. 5-12.

be found in Islamic legal treatises.[491] Christians and Muslims regularly swore oaths "by God", but even if God was the ultimate witness to an oath, the reputation of swearers was also held to account by witnesses.[492]

The questions raised by the case of 548/1153 are whether or not an oath between a Christian and a Muslim would be considered valid, i.e. legally binding, to both swearers and the witnesses of both parties, or, stated differently, whether doubt between Christians and Muslims could be addressed effectively by swearing oaths. This question is difficult to address since the sources rarely recount deliberations or reservations about breaking oaths as distinct from actually breaking agreements.[493] However, since Christian and Islamic oaths were sworn before God and by God, the oath-breaker invited divine punishment for breaking an oath and earthly retaliation by the injured party for breaking the agreement. Furthermore, the continued use of oaths in Frankish-Mamlūk agreements suggests that the oaths were deemed meaningful and considered socially and legally binding.[494]

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[491] Keith Lewinstein, "Oaths", in *Medieval Islamic Civilization: An Encyclopedia*, ed. Josef W. Meri (New York: Routledge, 2006), pp. 571-2.

[492] Cervone, *Sworn Bond*, 6, 19; Lewinstein, "Oaths", 571; Belen Vicens, "Swearing by God: Muslim Oath-Taking in Late Medieval and Early Modern Christian Iberia", *Medieval Encounters* 20.2 (2014): 121-2.

[493] Ibn al-Athīr records the following verses from a poem of ʿAlī ibn Muḥammad al-Sāʿātī (d. 604/1207-8) with reference to the Franks: "Shall there dwell in the homeland of the prophets a band/That is false in their oaths, while they swear them?" Ibn al-Athīr, *Al-Kāmil*, XI: 458; trans. Richards, II: 266. Ibn al-Athīr also preserves comments by Muslim rulers on the importance of honouring oaths: Ibn al-Athīr, *Al-Kāmil*, XI: 474; trans. Richards, II: 278; see also Ibn al-Athīr, *Al-Kāmil*, XI: 542; trans. Richards, II: 327.

[494] See Catlos, *Medieval Latin Christendom*, 357-9 for a discussion of Christian-Muslim oath-taking ceremonies and the "willing suspension of belief" of Christian authorities. However, William of Tyre does not differentiate between breaking an oath with the Muslims and breaking an agreement when he censors the Franks, which allows us to conjecture that rather than suspending belief, Christians and Muslims may have considered the possibility of universal punishment for breaking faith regardless of confessional identities or that either party could be expected to invite punishment by "their god". According to the *Livre des assises*, Muslim testimony was acceptable in court in the absence of Christian witnesses. John of Ibelin, *Le livre des assises*, ed. Peter W. Edbury [The Medieval Mediterranean 50] (Leiden: Brill, 2003), pp. 149-50, 671.

The question of oath-taking and interfaith trust is also complicated by the fact that the Franks comprised different groups that often negotiated separately with Muslims rulers. Therefore, parties that were not involved in negotiations did not always feel obliged to honour agreements, as demonstrated by the case of the ambush of a Nizārī envoy by Templars in 569/1173. Incidentally, William of Tyre's account of the same episode provides evidence for an elaborate process of negotiation. During the talks between Abdullah, the Nizārī Ismāʿīlī envoy of Rāshid al-Dīn Sinān (d. c. 589/1192), and King Amaury in 569/1173,

> [Amaury] detained the envoy with him long enough to complete the details of the agreement and then sent him back to his master to make the final arrangements, accompanied by a guide to lead and protect him on the way.[495]

Although the passage is brief, William provides useful details. It is possible that the envoy had the authority to conclude an agreement, as did al-ʿAdl and Humphrey in 588/1192, but required the ratification and oath of Sinān. We do not know how these negotiations would have been finalized since the envoy was ambushed by the Templars on his way back to Sinān. In any case, the process of drafting and concluding agreements described in the *Ṣubḥ al-aʿshā* is likely to have existed by the sixth/twelfth century, although the very earliest Frankish-Muslim agreements may have lacked one element or another.

[495] *...quam apud se pro verborum consummatione diu detinuerat, ad proprium magistrum, dato sibi duce itineris et proprii corporis custode, ut oblatum verbum penitus absolveretur remisit.* William of Tyre, *Chronicon*, 20.30 (II: 954); trans. Babcock, Krey, *Deeds*, II: 391.

iii. The Production of Diplomatic Manuals

General trends in the production of chancery texts corroborate the evidence for the institutionalization of Frankish-Muslim diplomacy from the late sixth/twelfth century. There had been a proliferation of texts of the genre or related genres in Arabic and Greek in the fourth/tenth century. Examples include Hilāl al-Ṣābī's (359-448/969-1056) *Rusūm dār al-khilāfa* (*The Guidelines of the Caliphate*); Abū ʿAlī al-Ḥusayn ibn Muḥammad's fourth/tenth century *Kitāb rusul al-mulūk* (*The Book of the Kings' Messengers*); and the Byzantine *Pros ton idiom mion Rōmanon* (*To My Son Romanos*; known in Latin as *De administrando imperio*; *On the Imperial Administration*); a brief tractate known as *Excerpta de legationibus* (*Section on the Messengers*); and *Ekthesis tēs Basileiou taxeōs* (Ln. *De cerimoniis*; *On Ceremonies*), composed in 946 and attributed to Constantine VII; and the anonymous *Peri presbeon* (*Regarding Envoys*).[496] Alongside this grouping, we can also place Abū al-Ḥasan al-Māwardī's (364-450/974-1058) *Al-Aḥkām al-sulṭāniyya wa-al-wilāyāt al-dīniyya* (*The Ordinances of Government*), although the *Aḥkām* deals more with administration in Dār al-Islām and treats only minimally the actual conduct of diplomacy.[497]

According to Maria Vaiou, there was greater diplomatic activity on the part of the ʿAbbāsids in the period between the third/ninth and fourth/tenth centuries, though the production of Greek manuals suggests that the Byzantines became equally engaged in

[496] For an overview of these texts, see Vaiou, *Tenth-Century Treatise*, 44-6.
[497] Abū al-Ḥasan al-Māwardī includes a section on the chancery in *Al-Aḥkām al-sulṭāniyya*, which does not elaborate on the the role of envoys, diplomats, or correspondence with non-Muslim rulers.

diplomacy.[498] We would expect numerous Fāṭimid manuals to have been written during or immediately following this period of intense diplomacy. It may be the case that some were destroyed when Ṣalāḥ al-Dīn took control of the Fāṭimid palace and dispersed its library. Nevertheless two manuals survive: *Mawād al-bayān* by ʿAlī ibn Khalaf (d. c. 455/1063) and *Qānūn dīwān al-rasāʾil* by Ibn al-Ṣayrafī (d. 542/1147).[499] Insofar as the ʿAbbāsids and Byzantines are concerned, the high points in long-distance diplomacy appear to be reflected in the production of the texts outlined above, though political stability would be a major enabling factor for the production of texts in general.

It is significant, then, that no manuals are extant from the Seljuk and Zengid periods.[500] Two manuals are known from the Ayyūbid period, the *Miftāh al-munshāʾ li-ḥadiqat al-inshāʾ* of Ḍiyāʾ al-Dīn ibn al-Athīr (558-637/1163-1239; the chronicler's younger brother) and *Maʿalim al-kitāba* by Ibn Shith (d. 625/1228).[501] This lacuna in the codification, in the literal sense of the term, of chancery and diplomatic practices was undoubtedly linked to the Norman and Seljuk expansion and the reconfiguration of lines of communication discussed in Chapter 3. If al-Qalqashandī's chancery compendium was in

[498] Vaiou, *Tenth-Century Treatise*, 4.

[499] Samir al-Droubi, *A Critical Edition and Study on Ibn Faḍl Allāh's Manual of Secretaryship "Al-Taʿrīf bi-l-muṣṭalaḥ al-sharīf"* (Muʾta: Publications of the Deanship of Research and Graduate Studies, Muʾtah University, 1992), pp. 64-6.

[500] A history of the Seljuk bureaucracy, however, survives in a single manuscript: the *Tārīkh al-vuzarāʾ* by Najm al-Dīn Abū al-Riḍā Qummī composed around 584/1188. A dissertation is devoted to the work: Stephen Charles Fairbanks, "The *Tārīkh al-vuzarāʾ*: A History of the Saljuq Bureaucracy", PhD Dissertation, University of Michigan, 1977. In addition, mirrors for princes were being produced in the Seljuk period. See A. C. S. Peacock, "Advice for the Sultans of Rum: The "Mirrors for Princes" of Early Thirteenth-Century Anatolia", in *Turkish Language, Literature, and History: Travelers' Tales, Sultans, and Scholars since the Eighth Century*, eds. Bill Hickman, Gary Leiser, Robert Dankoff (London: Routledge/Taylor & Francis Group, 2016), p. 278; Alexey Khismatulin, "Two Mirrors for Princes Fabricated at the Seljuq Court: Nizām al-Mulk's *Siyar al-mulūk* and al-Ghazālī's *Nasīhat al-mulūk*", in *The Age of the Seljuqs: The Idea of Iran*, Vol. 6, eds. Edmund Herzig, Sarah Stewart (London: I. B. Tauris, 2015), pp. 94-130; and for Seljuk literary production in general, see A. C. S. Peacock, *The Great Seljuk Empire* (Edinburgh: Edinburgh University Press, 2015), pp. 18-9, 185-7, 209-10; idem, "Kamal al-Din Ibn Talha: a Vizier, 'Alim and Author in Early 13th-Century Syria", in *The History of Syria, 1099-1250: Conflict and Co-existence*, ed. Carole Hillenbrand (Edinburgh: Edinburgh University Press, in preparation).

[501] Al-Droubi, *Manual of Secretaryship*, 66-7.

part a product of Mamlūk diplomatic contact with a variety of non-Muslim rulers across Africa, the Mediterranean, the Middle East, and the Steppe, then the absence of manuals could also reflect the absence of long-distance diplomacy. Furthermore, the elaboration over time of negotiations and agreements—and partition truces in particular—suggests that the first crusaders, their successors in the Levant, and the local Muslim dynasts, up to the Ayyūbids, were to some degree re-inventing the wheel. This piecemeal process of elaboration further reinforces the argument that chancery manuals, like al-Qalqashandī's *Ṣubḥ*, were meant to reflect how things had been done rather than how things ought to be done. Practices of diplomacy were in flux in the sixth/twelfth century and only after they became established were they codified in writing.

Thus, the Mamlūk period once again saw an upsurge in the production of diplomatic manuals alongside the institutionalization of administrative offices. These manuals include the *Taʿrīf bi al-muṣṭalaḥ al-sharīf* (*The Know-How of the Noble Procedures*) of Ibn Faḍl Allāh al-ʿUmarī (c. 700-749/1300-1349); the extensive *Ṣubḥ al-aʿshā*; and the *Qalāʾid al-jumān fī muṣṭalaḥ mukātabāt ahl al-zamān* (*The Pearl Necklaces Regarding the Conventions of Present-Day Epistolography*) of Najm al-Dīn Muḥammad al-Qalqashandī (al-Qalqashandī's son); Taqī al-Dīn ʿAbd al-Raḥmān ibn Nāẓir al-Jaysh's fourth/eighth century *Kitāb tathqīf al-taʿrīf bi-al-muṣṭalaḥ al-sharīf* (*The Book of Edification of Knowing the Noble Procedures*), and Muḥammad ibn Muḥammad al-Saḥmāwī's (d. 868/1464) *Al-Thaghr al-bāsim fī ṣināʿat al-kātib wa-al-kātim* (*The Rosy Border in the Art of the Scribe and Secretary*).[502] And a

[502] On the latter three texts, see Bauden, "Like Father, Like Son", 206-8, 211-2. I am using Frédéric Bauden's translation of the title. Both Ibn Nāẓir al-Jaysh's *Tathqīf* and the *Thaghr al-basim* of al-Saḥmāwī are edited: Taqī al-Dīn ʿAbd al-Raḥmān ibn Nāẓir al-Jaysh, *Kitāb tathqīf al-taʿrīf bi-al-muṣṭalaḥ al-sharīf*, ed. Rudolf Veselý (Cairo: al-Maʿhad al-ʿIlmī al-Faransī li al-Āthār al-Sharqīya, 1987); Muḥammad ibn Muḥammad al-Saḥmāwī, *Thaghr al-bāsim fī ṣināʿat al-kātib wa-al-kātim*, ed. Ashraf Muḥammad Anas Mursī, 2 Vols. (Cairo: Dār al-Kutub wa-al-Wathāʾiq al-Qawmīya, 2009). See also Broadbridge, "Diplomatic Conventions", 98.

section of Shihāb al-Dīn ibn al-Wahhāb al-Nuwayrī's *Nihāyat al-arab fī funūn al-adab* (*The Ultimate Ambition in the Arts of Erudition*) deals with chancery practices. However, as the title of the work suggests, the injunctions on chancery practice preserved therein are not suited for specific situations, but rather invite the ambitious reader to strive for worldly knowledge.[503]

iv. Conclusions

Long-distance diplomacy between rulers who participated in the shared minority discourse required considerable resources and sophisticated means of communication. *Ad hoc* arrangements could serve short-term purposes. More drawn-out negotiations required official appointments of skilled envoys and careful consideration of diplomatic gifts and gestures. Hence, King Richard I and Ṣalāḥ al-Dīn realized that their increasingly lengthy and complex negotiations necessitated an official interpreter, in addition to envoys, who could negotiate on their behalf. These subtle changes in the nature of negotiations were noticed by Abū al-Maḥāsin and perhaps by other witnesses to the Third Crusade as well. The Mamlūks built on the Ayyūbid legacy and developed a more sophisticated bureaucratic apparatus. They eventually appointed official interpreters to serve in negotiations. Later chancery scribes, who were trained experts in their vocation, decided to record the complex system of practices and protocols that had developed under the Bahrī Mamlūks. Official envoys, standardized processes, and elaborate ceremonies all contributed to secure

[503] Sections of the work have been translated: Shihāb al-Dīn al-Nuwayrī, *The Ultimate Ambition in the Arts of Erudition*, trans. Elias Muhanna (New York: Penguin Book, 2016). On chancery practice, see pp. 103-27.

and stable lines of communication, which were necessary for rulers engaging in the shared minority discourse.

Chapter 8: The Role of the Ayyūbids and the Latins in Reviving the Shared Minority Discourse

In Chapter 3, I argued that the fragmentation of Mediterranean politics in the mid-fifth/eleventh century left no ruler powerful enough to exert authority over an entire faith community, let alone a single extraterritorial minority (such as the enclaves of Muslims in Byzantine Constantinople or Latin canons in Ayyūbid Jerusalem). The shared minority discourse came to a brief interlude. Chapters 4-6 demonstrate that, through a series of encounters spanning decades, the Franks and Muslims became more and more aware of the symbolic and diplomatic value of including confessional minorities in their negotiations. In addition, political circumstances changed in the sixth/twelfth century as more resources were concentrated in the hands of fewer rulers, which also encouraged large-scale diplomacy. In this chapter, I survey the evidence for the reconfiguration of the shared minority discourse in and around the Levant and Greater Syria, in which the Ayyūbid sultans and the popes of Rome played an integral role. The complexity of this discourse and the fact that developments took place almost simultaneously across the wider Mediterranean region require a different organizational structure for this chapter. Accordingly, I skip across regions in this chapter while attempting to maintain chronological order.

At around the same time that the Normans and Seljuks entered the Mediterranean political scene, the papal *curia* began to assert its authority more widely within Christendom. Leo IX (1049-1054) travelled throughout Europe and convened a number of synods to enforce official church policy on simony, clerical marriages, and episcopal

elections.[504] Nicholas II (1059-1061) attempted to forbid investiture of all clerics by lay persons.[505] And a decade later, Pope Gregory VII (1073-1085) reiterated the Church's position on lay investiture and threatened excommunication even to kings and emperors.[506] In 1076, he declared oaths to King Henry IV (1056-1105) invalid and effectively undermined the king's legitimacy as a Christian ruler.[507]

Momentum was created and the papacy's expansion of authority began to extend beyond the confines of Christendom. In the two centuries that followed, the papacy coordinated crusades, organized preaching missions, and engaged in diplomacy with Muslim rulers.[508] As early as 468-9/1076, Pope Gregory VII initiated a diplomatic correspondence with an *amīr* of Ifriqīya, which resulted in the release of Christian captives.[509] These correspondences had actually originated in attempts by Pope Leo IX (1049-1054) to settle disputes and assert authority among North African bishops under Islamic rule.[510] The First Crusade, preached by Pope Urban II (1088-1099), was another early expression of this newfound authority, although it too stemmed from earlier attempts to coordinate Christian and Norman campaigns against non-Christians in the Apennine

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[504] Colin Morris, *The Papal Monarchy: The Western Church from 1050 to 1250* (Oxford: Oxford University Press, 1989), p. 86.
[505] Morris, *Papal Monarchy*, 91-2; Kathleen G. Cushing, *Reform and Papacy in the Eleventh Century: Spirituality and Social Change* (Manchester: Manchester University Press, 2005), pp. 105-6. On the "question of the ring and staff", see Uta-Renate Blumenthal, *The Investiture Controversy: Church and Monarchy from the Ninth to the Twelfth Century* (Philadelphia: University of Pennsylvania Press, 1988), esp. pp. 35-6.
[506] Robinson, *The Papacy*, 409; H. E. J. Cowdrey, *Pope Gregory*, 546-50.
[507] Morris, *Papal Monarchy*, ch. 5; Cowdrey, *Pope Gregory*, 129-49.
[508] Bartlett, *Making of Europe*, esp. pp. 5-23; Morris, *Papal Monarchy*, 95, 98-9; Richard A. Fletcher, *The Barbarian Conversion: From Paganism to Christianity* (Berkeley: University of California Press, 1999), pp. 497-8; Iben Fonnesberg-Schmidt, *The Popes and the Baltic Crusades, 1147-1254* (Leiden: Brill, 2007), pp. 113-5; idem, "Pope Honorius III and Mission and Crusades in the Baltic Region", in *The Clash of Cultures on the Medieval Baltic Frontier*, ed. Alan V. Murray (Aldershot: Ashgate, 2009), pp. 104, 106-7, 118; cf. Berend, "Expansion of Latin Christendom", 178, 182-3, 195. Professor Berend's focus is on royal and "bottom-up" initiatives. See also Kedar, *Crusade and Mission*, 136-58 on the role of the mendicant orders. On the nature of papal authority in the thirteenth century, see Morris, *Papal Monarchy*, 426.
[509] Drocourt, "Overview", 34, 38; Kedar, "Catholic-Muslim Correspondence", 408-9; Balivet, « Diplomatie personnalisée », 426.
[510] Cowdrey, *Pope Gregory*, 491-4.

Peninsula and Sicily.[511] Even the notion of a military pilgrimage to Jerusalem in defence of a beleaguered Eastern Church was an expression of the papacy's engagement in the shared minority discourse as the pope reacted to, or capitalized on, the perceived oppression of a homogenized Christian minority on a grand scale.

This resurgence in papal authority also left a mark on the Arabic historical record, which reflects the authority that papal letters to rulers, Christian and Muslim, commanded. For example, Pope Clement III (1187-1191) features prominently in Ibn al-Athīr's entry for the year 586 AH (= 1190-1191 AD):

> The Franks also received a letter from the pope, who is their leader whose commands they follow and whose word is like the word of prophets, not to be gainsaid. They hold that whoever is excommunicated by him is truly excluded and whoever he favours is truly favoured. He is the master of Rome. It ordered them to persevere in their undertaking, informing them that he had sent to all the Franks commanding them to travel to their [the Franks'] aid by land and by sea…[512]

The pope is deemed the highest authority among *all* the Franks and can exclude any individuals from what Ibn al-Athīr essentially describes as an ethnic group. In a later passage, Ibn al-Athīr substantiates his claims by describing the devastating effects of papal

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[511] Carl Erdmann, *The Origin of the Idea of Crusade*, trans. Marshall W. Baldwin, Walter Goffart (Princeton: Princeton University Press, 1977), pp. 122-33, cf. 284-5; J. Riley-Smith, L. Riley-Smith, *Idea and Reality*, pp. 3-4; Cowdrey, *Abbot Desiderius*, 137; idem, H. E. J. Cowdrey, "Pope Gregory VII's 'Crusading' Plans of 1074", in *Outremer: Studies in the History of the Crusading Kingdom of Jerusalem Presented to Joshua Prawer*, eds. Benjamin Z. Kedar, Hans E. Mayer, R. C. Smail (Jerusalem: Yad Izhak Ben-Zvi Institute, 1982), pp. 27-40, cited in Drocourt, "Overview", 53; Peter Lock, *The Routledge Companion to the Crusades* (London: Routledge, 2006), p. 304; see also Baldwin, Baldwin, "Papacy and the Levant", 279-80.

[512] *Thumma inna al-Firanj waṣalahum kitāb min Bābā, wa-huwa kabīrihim alladhī yaṣdirūn ʿan amrihi, wa-qawluhu ʿindihim ka-qawl al-nabīyīn lā yukhālaf, wa-maḥrūm ʿindihim man ḥarimahu, wa-al-muqarrib man qarrabahu, wa-huwa ṣāḥib Rūmīya al-Kubrā, yaʾmur bi-mulāzama mā hum bi-ṣadadihi, wa-yuʿallimahum annahu qad arsala ilā jamīʿ al-Firanj yaʾmurahum bi-al-sayr ilā najdatihim barran wa-baḥran*… Ibn al-Athīr, *Al-Kāmil*, XII: 53; trans. Richards, *Chronicle*, II: 378. See also XII: 465; trans. Richards, *Chronicle*, III: 280, where Ibn al-Athīr declares that *…malik Rūmīya hādhā amrihi ʿind al-Firanj lā yukhālaf…* ("this prince of Rome's word was law to the Franks").

excommunication following the conclusion of an alliance between Bohemond IV of Antioch and Kayqubād, the ruler of Konya, in the year 623 AH (1226 AD):

> When the Pope of Rome [Honorius III] heard [that Kayqubād had invaded Christian lands], he sent to the Franks in Syria to inform them that he had excommunicated the prince [Bohemond]. The Templars, the Hospitallers and many of the knights would not meet with him or hear what he had to say. Whenever a religious feast came round for the people of his lands, Antioch and Tripoli, he would go away…[513]

Ibn al-Athīr's descriptions of the pope, placed under the Hijra years 586 and 623, suggests that Muslims in Ṣalāḥ al-Dīn's court circle became more aware of the role and influence of the papacy during the Ayyūbid period, which coincides with our earliest evidence for correspondences between the popes and Muslim rulers in the Near East and reflects the papacy's expanding power and influence.[514]

Ṣalāḥ al-Dīn's unification of Egypt and Greater Syria in 570/1174 also brought a large number of Christian and Jewish communities under one ruler and created the circumstances necessary for participation in the shared minority discourse. The vast territories under the control of the Ayyūbid confederacy meant greater access to resources, which in turn allowed the Ayyūbids to operate on larger planes of political activity. Their sphere of influence continued to absorb regional powers and eventually collided with those of the Murābiṭūn (Almoravids) and the Muwaḥḥidūn (Almohads) in the western Mediterranean and with the Byzantine sphere in the north-eastern Mediterranean.[515] Once again the appearance of records of grand diplomatic encounters suggests a renewed period

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[513] *Fa-lammā samaʿa Bābā malik al-Firanj bi-Rūmīya arsala ilā al-Firanj bi-al-Shām yuʿallimahum annahu qad ḥarima al-Brins, fa-kāna al-Dāwīya wa-al-Isbitārīya wa-kathīr min al-fursān lā yaḥḍurūn maʿahu, wa-lā yasmaʿūn qawlahu; wa-kāna ahl bilādihi, wa-hīya Anṭākīya wa-Ṭarābulus, idhā jāʾahum ʿīd yakhraj min ʿindihim…* Ibn al-Athīr, *Al-Kāmil*, XII: 465; trans. Richards, *Chronicle*, III: 280.

[514] See also P. S. Van Koningsveld, G. A. Wiegers, "The Islamic Statute of the Mudejars in the Light of a New Source", *Al-Qantara* 17 (1996): 36 for Muslim perceptions of papal authority.

[515] Baadj, *Contest for North Africa*, chs. 5-6.

of Mediterranean interfaith communication and negotiation from the sixth/twelfth century onwards. Not surprisingly, minorities were once again implicated in negotiations.

Ṣalāḥ al-Dīn's authority stemmed in part from his ability to prove to Muslim and non-Muslim alike that he represented the face of Islam, dispensing justice to all Muslims and all non-Muslims in his domains. He thus presented himself as the highest authority when it came to resolving disputes among Muslims as well as the first port of call for Christian leaders concerned about the conditions of Christians under Muslim rule. Ambroise (fl. 1190), a Norman cleric in the retinue of King Richard I of England (1189-1199), alludes to the sultan's reputation for protecting Christian churches in his verse chronicle of the Third Crusade.[516] This image of clemency towards Christians is corroborated by the accounts of Abū al-Maḥāsin and Ibn al-Athīr (see Chapter 4, section iv).[517] Ṣalāḥ al-Dīn even admitted the Christians excluded from the Treaty of Jaffa to his court for an audience, which was implicitly a challenge to Richard's authority.[518] And the sultan arbitrated between rival Seljuk rulers, following the example set by Muḥammad, who had arbitrated between the rival clans of Yathrib (Madīna) after the Hijra in 1/622.[519] The sultan also continued Nūr al-Dīn's practice of hearing disputes in the Dār al-ʿAdl (House of Justice) of Damascus and may have adjudicated cases brought forward by Jews as well.[520]

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[516] Ambroise, *Guerre sainte*, lines 12136-49 (I: 196); trans. Ailes, *Holy War*, II: 191.
[517] Abū al-Maḥāsin, *Al-Nawādir*, 219; trans. Richards, *Excellent History*, 213. Ṣalāḥ al-Dīn's execution of Frankish captives, especially Templars, did not tarnish his reputation in western eyes.
[518] Abū al-Maḥāsin, *Al-Nawādir*, 236; trans. Richards, *Excellent History*, II: 233; see also P. M. Holt, "The Virtuous Ruler in Thirteenth-Century Mamluk Royal Biographies", *Nottingham Medieval Studies* 24 (1980): 31.
[519] Ibn al-Athīr, *Al-Kāmil*, XI: 465-6; trans. Richards, *Chronicle*, II: 272.
[520] Ġirīġūriyūs ibn Hārūn, *Makhtbhanuth*, trans. Yousif, 112; Prawer, *History of the Jews*, 66, 96-7. On the early Dār al-ʿAdl, see Ibn al-Athīr, *Tārīkh al-bāhir*, 168; trans. *Histoire des atabecs*, 305-6; Abū al-Maḥāsin, *Nawādir*, 13-6; trans. Richards, *Excellent History*, 22-5; ʿImād al-Dīn Ismāʿīl ibn ʿUmar ibn Kathīr, *Al-Bidāya wa-al-*

Furthermore, Ṣalāḥ al-Dīn negotiated with the Byzantine emperor Isaak II Angelos (1185-1195 = 580-1—591-2 AH) during the Third Crusade and attempted to secure a prayer space for Muslims (visitors, hostages, and perhaps prisoners as well) in Constantinople.[521] His negotiations with the emperor are recounted in Abū al-Maḥāsin's regnal history of the sultan:

> There was diplomatic contact and correspondence between the sultan and the emperor of Constantinople. An envoy from the latter came to the sultan at Marj ʿUyūn during Rajab 585 in reply to an envoy that the sultan had sent to him after the conclusion of a mutual understanding and an agreement to institute Muslim prayers in the mosque of Constantinople. This envoy had gone there and established the khutbah, being met with great respect and much honour. The sultan had sent with him, in the one ship, the preacher, the minbar and a number of muezzins [announcers] and Koran reciters. The preacher mounted the minbar and all the resident Muslims and the merchants gathered around, as he delivered the khutbah [in the name of] the Abbasid caliph.[522]

Ṣalāḥ al-Dīn thus reinforced his role as the representative of Muslims under Byzantine rule by re-instituting the congregational prayer in Constantinople.[523] Indeed, he presented himself as the defender and representative of all Muslims, and articulated his authority to

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nihāya fī al-tārīkh, 16 Vols. (Cairo: s.n., 1932-1939), XII: 329; Qiwām al-Dīn Fatḥ ibn ʿAlī ibn Muḥammad al-Iṣfahānī, *Sanā al-barq al-Shāmī*, ed. Fathīya al-Nabarāwī (Cairo: Maktabat al-Khānjī bi-Misr, 1979), p. 278; Nasser O. Rabbat, "The Ideological Significance of the Dār al-ʿAdl in the Medieval Islamic Orient", *International Journal of Middle East Studies* 27.1 (1995): 3-4, 6-7, 19-20; Darling, "Circle of Justice", 5-6. Ibn Jubayr devotes a section of his account to Ṣalāḥ al-Dīn's administration of justice: see Ibn Jubayr, *Riḥla*, 30-1. Baybars also established a Dār al-ʿAdl, as Peter Thorau notes in *Lion of Egypt*, 95.

[521] Anderson, "Islamic Spaces", 102-3. See also Cutler, "Gifts and Gift Exchange", 267 for gifts dispatched by Ṣalāḥ al-Dīn to Emperor Isaak II Angelos in c. 588/1192.

[522] *Wa-kāna bayn al-sulṭān – raḥamahu Allāh ʿalayhi – wa-bayn malik Qusṭanṭīnīya murāsala wa-mukātaba wa-kāna waṣl minhu rasūl ilā al-bāb al-sulṭānī bi-Marj ʿUyūn fī Rajab sana khams wa-thamānīn wa-khamsmi'a fī jawāb rasūl kāna anfadhahu al-sulṭān – raḥamahu Allāh ʿalayhi – ilā baʿdu taqrīr al-qawāʿid wa-iqāmat qānūn al-khuṭba fī jāmiʿ Qusṭanṭīnīya, fa-maḍā al-rasūl, wa-aqāma al-khuṭba, wa-laqiya bi-iḥtirām aẓīm wa-ikrām zāʾid, wa-kāna qad anfadha maʿahu fī al-marākib al-khaṭīb wa-al-minbar wa-<jamʿ> min al-muʾaẓẓīn wa-al-qurrāʾ, wa-kāna yawm dakhūluhum ilā Qusṭanṭīnīya yawman aẓīman min ayām al-Islām shāhadahu jamʿ kathīr min al-tujjār, wa-raqiya al-khaṭību al-minbar, wa-ijtamaʿa ilayhi al-Muslimūn al-muqīmūn bihā wa-al-tujjār, wa-aqāma al-daʿwa al-Islāmīya al-ʿAbbāsīya…* Abū al-Maḥāsin, *Al-Nawādir*, 132; trans. Richards, *Excellent History*, 121. See also al-Maqrīzī, *Al-Sulūk li-maʿrifat al-mulūk*, I.i: 104; trans. Boradhurst, 92.

[523] Ioannes Kinnamos notes that dignitaries at the Byzantine court in 1158 included envoys from Nūr al-Dīn "the *atabeg* of Aleppo", which may hint at grander diplomatic aspirations on the part of the Zengid sultan. No details are given on the purpose of the embassy. Kinnamos, *Epitomē*, trans. Brand, *Deeds*, 140.

his courtiers, the ʿAbbāsid court, and any potential contenders for the Egyptian and Syrian thrones. His overtures recall previous attempts by the Umayyads to ensure acceptable living conditions for Muslim hostages and prisoners detained in the Byzantine capital, and Fāṭimid attempts to assume control over the Muslim call to prayer in Constantinople.[524] The importance of the role of the sultan, or *imām* more generally, as a protector of extraterritorial Muslim minorities suggests that this role was considered a mainstay of ideal Islamic rulership and an expression of Islamic piety among medieval Muslim observers.[525]

It is not surprising that the expanding Ayyūbid and papal spheres of influence first collided in the 570s/1180s. Ṣalāḥ al-Dīn was the first Muslim ruler of Egypt or Greater Syria to negotiate with the Papal See regarding the treatment of prisoners. It was undoubtedly the Ayyūbid victory over the Franks in the Ḥawrān in 575/1179-1180 that prompted diplomatic overtures from Pope Alexander III (1159-1181) and Pope Lucius III (1181-1185), who both expressed concern over the conditions of Frankish captives.[526] Only the responses of Ṣalāḥ al-Dīn and Sayf al-Dīn survive, preserved in Latin translations in the royal cartulary of the Kingdom of Jerusalem:

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[524] Anderson, "Islamic Spaces", 103; Lev, "Prisoners of War", 21.
[525] Cf. Holt "Virtuous Ruler", 28-9.
[526] For Alexander III's letters and embassies to Christian rulers, see *Regesta pontificum romanorum ab condita Ecclesia ad annum post Christum Natum 1198*, eds. Philipp Jaffé, Ferdinand Kaltenbrunner, Paul Ewald, 2nd Edn, 2 Vols. (1885-1888, reprint, 1965) [= *RPR*], II: 145ff, 761ff; *Epistolae pontificum romanorum ineditae*, ed. Samuel Löwenfeld (Leipzig: Veit and Company, 1885) [= *EPR*], 131ff; and Boso, *Vita Alexandri*, trans. G. M. Ellis, *Boso's Life of Alexander III* (Oxford: Blackwell, 1973), which focuses on the pope's relations with Emperor Frederick I "Barbarossa"; M. Pacaut, « Les légats d'Alexandre III », *Revue d'histoire ecclésiastique* 50 (1955) : 821-38; and see the study by Kenneth Pennington: "*Epistolae Alexandrinae*: A Collection of Pope Alexander III's Letters"*, in Miscellanea Rolando Bandinelli, Papa Alessandro III*, ed. Filippo Liotta (Siena: Nella Sede Dell'Accademia, 1986): 337-53, reprinted in Kenneth Pennington, *Popes, Canonists, and Texts, 1150-1550* (Aldershot: Variorum, 1993); and Richard, *Royaume latin*, 95 for an envoy sent by Alexander III to the County of Tripoli in 1161. See also Joan Dale Hei, "Pope Alexander III and the East", Doctoral Dissertation, Department of History, New York University, 1969, n. 3 (p. 5) for additional studies.

> King Sayf al-Dīn announces to Pope Lucius that he has learned from the letter given by the hand of Jan Dandolo Mata, that the pope wishes to observe that which was decided upon by his predecessor Alexander III and the sultan regarding the release of captives. When the aforementioned envoy arrived, his brother, the sultan, Ṣalāḥ al-Dīn, had decided in the region of Tyre that he would subjugate all the land from Damascus to Niniva [Ar. Nīnawā, i.e. Mosul] and decided to respond to the aforementioned petition with the following words: "if the Christians of the Kingdom of Jerusalem wish to obey the decision given by the pope regarding peacemaking and the release of captives, the very thing—what the pope has asked—would be done; if not, he would be immune from every blame, if the peace is not kept."[527]

> Salah al-Din, king of all the Oriental kings, writes to the pope [Lucius] that he has received the letter brought by the hand of Oliver Vitalis in which the release of captives is proposed, and wishes to fulfil [the terms], but since the Saracens detain Christian nobles, while the Christians detain all the lowly Saracens as well as rustics, it would be pleasing for him, that both parties evaluate their captives "and that the party which has less be compensated by the other".[528]

It is unlikely that this correspondence between pope and sultan revolved around a mere prisoner exchange, as Marshall W. Baldwin has suggested.[529] The use of the term *rustici* (country people) and the fact that a large population of Muslims worked as peasants, slaves, and manual labourers for the Franks suggests that Ṣalāḥ al-Dīn referred to the daily

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[527] *Sisidin rex Lucio III papae nuntiat, se ex epistola per manus Jani Danduli Mata cognovisse, papam, quae a praedecessore Alexandro III et soldano de liberandis captivis constituta sunt, observare velle; cum vero dictus legatus venisset, soldanum Saladinum fratrem in partibus Tyri constitutum fuisse et omnem terram a Damasco usque Ninivem subjugavisse ac de petitione supradicta haec responderi jussisse: si christiani in regno Hierosolymitano constituti mandatis papae de pace facienda et captivis liberandis obedire voluerint, ipsum, quae papa postulavit, facturum esse, sin minus, se ab omni culpa immunem fore, si pax non servetur*. *Regesta regni Hierosolymitani*, ed. Reinhold Röhricht, 2 Vols. (New York: Burt Franklin, 1893-1904) [= *RRH*], nr. 626 (I: 166). The online charter database based on the work of Reinhold Röhricht has been launched recently: http://crusades-regesta.com/ under the direction of the late Prof. Emer. Jonathan Riley-Smith.

[528] *Salahadinus, rex omnium regum Orientalium, papae scribit, se ejusdem epistolam per manus Oliveri Vitalis allatam accepisse et, quae in ea de liberandis captivis proposita sunt, adimplere velle, sed cum Saraceni nobiles christianos, christiani vero tantum vilissimos Saracenos ac rusticos detineant, sibi placere, ut utraque pars captivos suos appreciet «et quae pars minus habuerit, restituatur ab ei altera»*. *RRH*, ed. Röhricht, nr. 635 (I: 168). See also nrs. 500 and 551 (I: 131-2) for negotiations between Ṣalāḥ al-Dīn and the Pisans regarding commercial privileges. The papal letters are absent from the *RPR* and the *EPR*, but see Babcock, Krey, *Deeds*, n. 85 (II: 287) for a papal legate named John who travelled to the Levant on a Genoese vessel around 554-5/1160; and Marshall W. Baldwin, *Alexander III and the Twelfth Century* (Glen Rock: Newman Press, 1968), p. 170 for a letter sent to Kilij Arslan around 564-5/1169.

[529] Baldwin, *Alexander III*, 170.

conditions of all Muslims residing in Frankish territories when he presented his counter-offer to the pope.[530]

This series of correspondences suggests that Muslims living under Frankish rule and Christians living under Muslim rule became a priority for both sides of the confessional divide at this very moment in time.[531] The popes and Ayyūbids thus engaged in the shared minority discourse by negotiating over the conditions of minorities, held as prisoners or living as subjected communities. And, as seen in earlier diplomatic encounters between Christian and Muslim rulers, Lucius and Ṣalāḥ al-Dīn did not negotiate merely to seek political advantages as rivals of different faiths; their authority as representatives of their respective faith communities depended on their ability to protect co-religionists living outside their domains.

The pope's appeal was a drastic departure in papal foreign policy. Pope Urban II had preached the First Crusade in response to Seljuk expansion and the disruption of pilgrimage routes. Pope Eugenius III (1145-1153) similarly exhorted the Christians to "avenge such wrongs" and "liberate their oppressed brethren" from the threat that the Zengids posed.[532] A diplomatic approach was simply not part of the pope's toolkit until Ṣalāḥ al-Dīn's rapid territorial expansion, which required an alternative approach by which the popes could exert authority and claim representation over the Christians in the East. Ṣalāḥ al-Dīn's political success may thus have served, paradoxically, as a catalyst for the

[530] On Muslim slaves and labourers, see Abū al-Maḥāsin, *Al-Nawādir*, 174; trans. Richards, *Excellent History*, 165; Kedar, "Subjected Muslims", 143, 152-4; Hillenbrand, *Islamic Perspectives*, 549-50.
[531] Cf. Anderson, "Islamic Spaces", 102. Anderson comes to the same conclusions but traces the shift in minority concerns to the Ayyūbid-Byzantine negotiations in the year 585/1189.
[532] William of Tyre, *Chronicon*, 16.18 (II: 740); trans. Babcock, Krey, *Deeds*, II: 164; Riley-Smith, *Idea of Crusading*, 17-8; Susanna Throop, "Vengeance and the Crusades", *Crusades* 5 (2006): 21-38; idem, *Crusading as an Act of Vengeance, 1095-1216* (Farnham: Ashgate, 2011).

development of closer diplomatic relations between Christians and Muslims dominant in two different arenas of the Mediterranean.[533]

As seen in Chapter 6, King Richard had also assumed the authority to represent Christians in the East by attempting to secure safe-passage for pilgrims to Jerusalem during negotiations with Ṣalāḥ al-Dīn in 588/1192. It may be the case that his crusade was a direct response to appeals from the Latin East for the protection of Christian pilgrims, such as one preserved by William of Tyre in his chronicle.[534] In this instance, the crusading king exercised his role as representative of Latin Christianity by negotiating on behalf of *all* Christian pilgrims (and implicitly by excluding French Christians as retribution for their withdrawal from the crusade).[535] His sphere of authority thereby collided with King Philip's authority and surpassed, for the moment, the authority of the popes in the East. Frederick II, the Holy Roman Emperor from 1220 to 1250, also assumed authority over the Christians in the East by negotiating a truce with the Ayyūbid sultan al-Malik al-Kāmil (r. 615-635/1218-1238), thereby securing safe-passage to Jerusalem. Incidentally, he also side-stepped the authority of the papacy by leading his second crusade campaign after having been excommunicated.[536]

Popes and caliphs, kings and emperors participated in the shared minority discourse, but one aspect of this history is conspicuously absent, at least for the

[533] As Charles-Emmanuel Dufourcq and Hussein Fancy have shown, diplomatic relations also thrived between Christian rulers in the West and rulers in the Maghreb in the same period: Hussein Fancy, "Theologies of Violence: The Recruitment of Muslim Soldiers by the Crown of Aragon", *Past & Present* 221.1 (2013): 39-73; Charles-Emmanuel Dufourcq, *L'Espagne catalane et le Maghrib aux 13e et 14e siècles, de la bataille de Las Navas de Tolosa (1212) à l'avènement du sultan mérinide Abou-l-Hassan (1331)* (Paris: Presses Universitaires de France, 1966), esp. pp. 3, 15. See also Catlos, *Latin Christendom*, 417.

[534] William of Tyre, *Chronicon*, 20.12, 20.22 (II: 926, 941); trans. Babcock, Krey, *Deeds*, II: 360, 377.

[535] See also Fancy, *Mercenary Mediterranean*, 83 for a similar claim made by Alfons of Aragon in negotiations with the last al-Muwaḥḥid representatives.

[536] James M. Powell, "Church and Crusade: Frederick II and Louis IX", *The Catholic Historical Review* 93.2 (2007): 256-8; see also Maher Y. Abu-Munshar, "Sultan al-Kamil, Emperor Frederick II and the Submission of Jerusalem", *International Journal of Social Science and Humanity* 3.5 (2013): 443-7.

sixth/twelfth century. The kings and queens of Jerusalem, unlike other Mediterranean rulers, did not employ Jews or Muslims as envoys, physicians, or administrators in the royal court, as far as we can tell from the surviving sources. Furthermore, expressions of royal guardianship over religious minorities are almost entirely absent in the records of the Latin East. This may be a consequence of the papacy's claims of authority over the rulers of Jerusalem, which may have limited their room for articulating their own claims to universal rulership.[537] In addition, the rulers of Jerusalem only controlled the centres and environs of Acre, Jerusalem, Nazareth, and Tyre by the mid-sixth/twelfth century; their territories were not much larger than those held by the counts of Antioch or Tripoli.[538] If my hypothesis on territorial expansion as a requisite for the projection of extraterritorial authority also applies to the Frankish ruling elite, then the limited resources available to the rulers of Jerusalem translated to a limited repertoire of symbols and articulations of authority, and certainly precluded universal claims to authority.

Instead, the royal court may have depended on an exclusivist and narrow vision of Christian rulership that drew on the legacy of the first crusaders and that could appease the clerical elite of the Kingdom and serve as a common reference point for the kingdom's counts and vassals. Even Islamic artistic forms are almost completely absent in Frankish architecture, sculpture, and painting,[539] whereas Gothic elements and spolia are clearly visible in the *madrasa* complex of the Mamlūk sultan al-Nāṣir Muḥammad (d. 741/1341) in Cairo.[540] Perhaps the insecurity of the Franks in the East could also explain the dominance

[537] See Baldwin, "Papacy and the Levant", 282-3; Rowe, "Ecclesiastical Province", 168.
[538] Boas, "Unique Medieval Society", 138-9.
[539] Boas, "Unique Medieval Society", 153.
[540] Lucy-Anne Hunt, "Churches of Old Cairo and Mosques of Al-Qāhira: A Case of Christian-Muslim Interchange", *Medieval Encounters* 2.1 (1996): 43-66. Professor Northrup summarized the various

of Christian motifs and styles in what remains of the visual culture of the Kingdom of Jerusalem.[541]

In contrast, there is extensive evidence in medieval Aragon for the protected status of non-Christians as *servi camerae regis* (slaves of the imperial chamber), whom the king sometimes referred to as his "treasure".[542] Injuries against these groups were directly accountable to the king.[543] The same immune status applied to the mercenary *jenet*s in the service of the Aragonese kings.[544] The Normans of Sicily also invited Muslim poets and scholars to their courts.[545] The closest parallel in the case of the Franks would be the *serfs dou roi*, which Marwan Nader identifies as Muslims "who resided in houses specially set aside for them and [were] afforded unique rights of tenancy" by the royal court. However, sound evidence for *serfs dou roi* pertains only to Nicosia.[546] And like the Aragonese kings, the Jerusalemite kings relied on contingents of Turcopoles (Ar. *turkubūlī*; O. Fr. *turcopoli*).

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interpretations to date on the *madrasa* complex at the roundtable discussion "Artistic Pluralism in the Medieval Mediterranean" held at the Aga Khan Museum, Toronto, on 20 March 2019.

[541] Patronage limited to a set of familiar (i.e. Christian) architectural and artistic forms serving as a rallying point could also be an effect of the "institutional lag" described by Aharon Ben-Ami in *Social Change in a Hostile Environment: The Crusader's Kingdom of Jerusalem* (Princeton, Princeton University Press, 1969), ch. 3, esp. pp. 61-2, and p. 120 but contrast p. 132 on the lack of integration of Eastern Christians and pp. 122-3 on the adoption of Islamic customs by the Frankish aristocracy (sources are not cited). See also Catlos, *Latin Christendom*, 427-8. The historiography on the predominantly Armenian, Byzantine, and Romanesque influences on Frankish art and architecture is extensive. See, for example, Nurith Kenaan-Kedar, "The Cathedral of Sebaste: Its Western Donors and Models", in *Horns of Ḥaṭṭīn*, 99-120; idem, "Armenian Architecture in 12th Century Jerusalem", *Assaph Studies in Art History* 3 (1998): 77-91.

[542] As Professor Gervers has pointed out to me, a parallel can be found in the status of Jews in England prior to their expulsion (in 1290).

[543] John Boswell, *The Royal Treasure: Muslim Communities under the Crown of Aragon in the Fourteenth Century* (New Haven: Yale University Press, 1977), esp. p. 30; Meyerson, *Muslims of Valencia*, 13, 33ff; Fancy, *Mercenary Mediterranean*, 71, 94. However, the Christian-Muslim ratio in Valencia might have been lesser than in any of the Frankish polities.

[544] Brian A. Catlos, "Mahomet Abenadalill: A Muslim Mercenary in the Service of the Kings of Aragon", in *Jews, Muslims, and Christians in and around the Crown of Aragon: Essays in Honour of Professor Elena Lourie*, ed. Harvey J. Hames (Leiden: Brill, 2004), pp. 263-4; Fancy, *Mercenary Mediterranean*, 107-8.

[545] Davis-Secord, *Three Worlds*, 229, 231-2.

[546] See Nader, "Legal Institutions", 248, 265-6.

These troops may have converted to Christianity; in fact, very little is known about them.[547] The only other evidence on Frankish expressions of patronage over non-Christians is that the kings of the Latin Kingdom and the Venetians both claimed the revenues of the Jewish community in Tyre after the Third Crusade. Interestingly, the revenue collected was the very same *capitatio* discussed in Chapter 2 and functioned as "a token in recognition of sovereignty" that most probably paid for privileges or protection.[548] The evidence is otherwise scarce for Frankish kings engaging directly with their own confessional minorities. The evidence suggests that crusading kings and popes more often engaged in the shared minority discourse than the Frankish ruling elite.

In the seventh/thirteenth century, the papacy placed greater emphasis on diplomacy and conversion.[549] This shift in policy must be understood in the context of ongoing criticism of the crusading movement and the realization that military campaigns against the Ayyūbids and Mamlūks had been mostly ineffective. However, such setbacks did not stop popes and mendicants from continuing to preach the crusades while also preaching to convert.[550] The seventh/thirteenth century popes also continued to express concern over the plight of Christians living under Muslim rule, mirroring the same kinds of concerns over extraterritorial minorities expressed by Pope Lucius and by Fāṭimid and

[547] R. C. Smail, *Crusading Warfare, 1097-1193* (Cambridge: Cambridge University Press, 1956), pp. 111-2; Prawer, "Social Classes", 120, n. 1.
[548] Prawer, *History of the Jews*, 255-6.
[549] See Kedar, *Crusade and Mission*, 44-7, 67-72, 116-9, 126-9, 134, 159ff; Robert I. Burns, "Christian-Islamic Confrontation in the West: The Thirteenth-Century Dream of Conversion", *The American Historical Review* 76.5 (1971): 1386-1434; Robin Vose, *Dominicans, Muslims and Jews in the Medieval Crown of Aragon* (Cambridge: Cambridge University Press, 2009), pp. 234-42.
[550] See Elizabeth Siberry, *Criticism of Crusading: 1095-1274* (Oxford: Clarendon Press, 1985), pp. 193-6, 198; Kedar, *Crusade and Mission*, esp. 136-42; and Pamela Drost Beattie, "Evangelization, Reform and Eschatology: Mission and Crusade in the Thought of Ramon Llull", PhD Dissertation, University of Toronto, 1990.

ʿAbbāsid caliphs in earlier periods.[551] Innocent III (1198-1216), Honorius III (1216-1227), Gregory IX (1227-1241), and Innocent IV (1243-1254) continued to exercise diplomatic pressure and each had corresponded with the Muwaḥḥidūn to secure Christian prayer spaces and the release of Christian prisoners.[552]

The popes also continued their correspondence with the Ayyūbids in Greater Syria. In 635-6/1238, Gregory IX wrote to the Templar Order to report that he was exerting himself for the release of knights held captive in Aleppo. It is possible that he had also corresponded with the Ayyūbid rulers of Aleppo or Sultan al-Kāmil in Egypt.[553] And in 662-3/1264, Pope Urban IV (1261-1264) ordered the patriarch of Acre, and the churches and monasteries of the Kingdom of Jerusalem to provide for "poor Saracens and Jews", which suggests that exhortations to perform acts of charity directed at non-Christians became another expression of papal authority in the East.[554]

The Ayyūbids and their *mamlūk* successors also realized the potential diplomatic leverage of involving the Christian minorities under their rule in their relations with the rulers of the Kingdom of Georgia. As mentioned in Chapter 4, Müller and Pahlitzsch have examined the course of relations between the Mamlūk sultans and the Georgian Christians

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[551] Amy G. Remensnyder, "The Boundaries of Christendom and Islam: Iberia and the Latin Levant", in *The Oxford Handbook of Medieval Christianity*, ed. John H. Arnold (Oxford: Oxford University Press, 2014), pp. 108-9.

[552] Maya Shatzmiller, "al-Muwaḥḥidūn", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Volumes (Leiden: E. J. Brill, 1971), VII: 804; Fancy, *Mercenary Mediterranean*, 92; Clara Maillard, « Protection des chrétiens en terre d'Islam et discussion entre papes et souverains musulmans : le cas singulier des mercenaires du Maroc », in *Religious Minorities in Christian, Jewish and Muslim Law (5th-15th centuries)*, eds. Nora Berend, Youna Hameau-Masset, Capucine Nemo-Pekelman, John Tolan (Turnhout: Brepols, 2017), pp. 317-31; see also Vose, *Dominicans*, 206, 225-8 for the role of papal envoys and deputies; and Kedar, *Crusade and Mission*, 47 for the military orders' general call for the defense of all Christians. As Maillard notes, Fernando III of Castile (1217-1252) also negotiated with the Muwaḥḥid caliph al-Maʾmūn to allow Christian mercenaries access to their churches. Maillard, « Protection des chrétiens », 320.

[553] Gregory IX, *Les Registres*, nrs. 4403-4 (II: 1055-6); trans. http://crusades-regesta.com under nr. 2336. See also *Die Beziehungen der Päpste zu islamischen und mongolischen Herrschern im 13. Jahrhundert anhand ihres Briefwechsels*, ed. Karl-Ernst Lupprian (Vatican: Biblioteca Apostolica Vaticana, 1981), nrs. 22-7 (pp. 150-75).

[554] Prawer, *History of the Jews*, 276.

through the evidence of diplomatic documents. They have tracked low points as well as improvements in their relations and demonstrated that privileges for the Georgian community were closely linked to cooperation between Mamlūk sultans and the Georgian court. Improvements in their relations were also linked to the serious threat posed by the Mongols and the Mamlūks' quest for potential allies.[555] These relations had commenced with negotiations between Ṣalāḥ al-Dīn and Queen Tamar (1184-1213), who secured access to Jerusalem for the Georgian community.[556] Al-Malik al-Kāmil confirmed the privileges of the Georgian Monastery of the Holy Cross in Jerusalem in 625/1228, according to a charter that was brought to bear on later petitions to the Mamlūk sultans.[557]

The founder of the Bahrī Mamlūk sultanate, Baybars al-Bunduqdārī, had also realized the leverage that his role as the new representative of Dār al-Islām and upholder of the Dhimma could have in terms of projecting his authority during negotiations. In a letter from the sultan to the Franks following the truce of 661/1263 (see Chapter 6, section iii.), he spells out his expectation that the Franks would similarly express concern over their co-religionists detained in Mamlūk domains, who were presumably Frankish captives. Baybars begins by stating that he had sent for Frankish prisoners in order to fulfill the truce stipulations but changed his mind once he noticed that the Franks showed no signs of compliance:

> We dispatched the prisoners to Nablus and from there [back] to Damascus. But you have sent no one. […] And you do not show mercy to the people of your community

[555] Müller, Pahlitzsch, "Monastery of the Holy Cross", esp. 278.
[556] Müller, Pahlitzsch, "Monastery of the Holy Cross", 259.
[557] Johannes Pahlitzsch, "Documents on Intercultural Communication in Mamluk Jerusalem: The Georgians under Sultan An-Naṣīr Ḥasan in 759 (1358)", in *Diplomatics in the Eastern Mediterranean 1000-1500: Aspects of Cross-Cultural Communication*, eds. Alexander Daniel Beihammer, Maria G. Parani, Christopher David Schabel (Leiden: Brill, 2008), p. 375.

> [*millatikum*] who are now prisoners even when they had arrived at your doorstep. All that just so the labour of the Muslims among you would not be lost![558]

The unwillingness or inability of the Franks to engage in the shared minority discourse was a further sign of the weakening of their power and authority, and Baybars capitalized on their weakness and loss of face to emphasize his secure footing. And, as discussed in Chapter 6, as Baybars and his successors accumulated territory, their demands to Frankish rulers came to include more protections and privileges for Muslim minorities.[559]

At the same time, Eastern Christian communities appealed to Baybars and his successors for protection (Chapter 4, section iii.), which reinforced the role of the Mamlūks as universal rulers over multifaith societies. Baybars also arranged for the restoration of the mosque of Constantinople, following the example of his Fāṭimid and Ayyūbid predecessors.[560] Paradoxically, Baybars had also been a great persecutor of eastern Christians, as witnessed in the case of the villagers of Qārā. His expropriations of places of worship were responses to popular resentment towards Christians and Jews, which in turn stemmed from the general threat posed by Christian and especially Mongol rulers in the wider Mediterranean region and Greater Syria.[561]

Baybars and his immediate successors annexed the remaining Frankish territories, and, in expanding their horizons beyond the Coastal Plain, they extended their diplomatic activity to the wider Mediterranean. All these changes are reflected in the surviving

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[558] *Wa-sayyarnā al-asārā ilā Nāblus wa-minhā ilā Dimashq, wa-mā sayyartum antum ahadan… wa-lam tarḥamū ahl millatikum al-asārā wa-qad waṣalū ilā abwāb buyūtikum, kullu dhālik ḥattā lā tabṭal ashghālukum min asrā al-Muslimīn ʿindakum.* Al-Maqrīzī, *Al-Sulūk li-maʿrifat al-mulūk*, I.ii: 485; trans. Quatremère, *Histoire*, I.i: 195; Hillenbrand, *Islamic Perspectives*, 549-50. My translation is based on Ziyāda and ʿĀshūr's edition.

[559] Perhaps the equal status assigned to Muslims, among other groups, in a late seventh/thirteenth century revision of the *Livre of assises* (see frontmatter, p. v) can be read as an effect of Mamlūk pressure.

[560] Sadeque, *Baybars*, 50.

[561] See Chapter 1, section v and Chapter 5, section iv.

Mamlūk truces with Christian rulers around the Mediterranean and the Horn of Africa—Red Sea region. For example, in 682/1283 Qalāwūn concluded a ten-year truce with the Frankish "authorities" of Acre that ensured the safe-passage only of subjects originating from both Frankish and Mamlūk territories:

> And when one of the incoming or outgoing merchants from the territories of the sultan and his son, in all their races and religions, dies in ʿAkkā and Ṣaydā and ʿAthlīth, and the coastal territories included in this truce in all their kinds and religions, then their goods are kept until they are handed over to the deputy of the sultan and his son, and when someone dies in the Islamic territories included in this truce, his goods are to be kept and transferred to the representative of the kingdom at ʿAkkā or the masters.[562]

In this agreement, Qalāwūn claimed to have authority over Christians, Jews, and Muslims from Mamlūk territories who found themselves in Frankish domains. Qalāwūn thus presented himself as an ideal Islamic ruler by securing protection even for Muslims who travelled outside the Dār al-Islām. And the protection he secured for the Ahl al-Dhimma can also be read as a claim of authority over Eastern Christians by which means Qalāwūn outstripped the ability of the Franks to claim responsibility for their own co-religionists. There is also some indication that the conditions of Frankish captives in Cairo improved as a result of Qalāwūn's negotiations in the 680s/1280s. He thus exerted his authority over minorities and captives, just as the Fāṭimid caliphs had represented Muslim captives in Constantinople.[563] As Linda Northrup points out, Qalāwūn's act of dispatching artisans and workers to the khanate of the Golden Horde (which was allied to the Mamlūks) in order to

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[562] *Wa-matā tūwūfīy* [sic] *ahadun min al-tujjār al-ṣādirīn wa-al-wāridīn: ʿalā ikhtilāf ajnāsihim wa-adyānihim, min bilād al-sulṭān wa-waladihi, fī ʿAkkā wa-Ṣaydā wa-ʿAthlīth, al-bilād al-Sāḥilīya al-dākhila fī hādhihi al-hudnā ʿalā ikhtilāf ajnāsihim wa-adyānihim fa-yaḥtafiẓ ʿalā mālihi hattā yaslam li-nuwwāb al-sulṭān wa-waladihi, wa-idhā tūfīy ahadan fī al-bilād al-Islāmīya al-dākhila fī hādhihi al-hudnā, yaḥtafiẓ ʿalā mālihi ilā hīna yaslam ilā kafīl al-mamlika bi-ʿAkkā wa-al-muqaddamīn.* Al-Qalqashandī, *Ṣubḥ al-aʿshā*, 59.
[563] Loiseau, "Frankish Captives", 45. See also pp. 43, 44, and 46 for the Frankish church in Cairo.

decorate a mosque should also be interpreted as an expression of his extraterritorial authority.[564]

In the following decade, the political and diplomatic sphere of the Mamlūk sultanate reached Aragonese horizons, soon after the Aragonese kings began exerting influence in the central Mediterranean region.[565] The first sign of the convergence of these spheres of influence was the truce negotiated by the Mamlūk sultan al-Ashraf Khalīl and King James II of Aragon in 692/1293 (see Appendix D). The clauses guaranteeing safe-passage for subjects of either side in this truce are nearly identical to the stipulations in the 682/1283 truce.[566] What is noticeably different about this truce is al-Ashraf Khalīl's additional demand that

> when one of the Muslims is captured in any other country on land or sea, after the commencement of this truce, from all territories: eastern or western, far or near, and they arrive in the territories of the king Dūn Ḥākim [Don James the Just] and the territories of his two sons and kin to be sold there, the king Dūn Ḥākim and his two sons and kin must release his fetters and convey him to the territories of al-Malik al-Ashraf.[567]

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[564] Northrup, *Sultan al-Manṣūr Qalāwūn*, 306-7; idem, *From Slave to Sultan*, 176.

[565] James I of Aragon negotiated with the Marīnid sultan Abū Yūsuf Yaʿqūb (656-685/1258-1286) in 672-3/1274 for the privilege to construct a church in Ceuta. The Aragonese then annexed Sicily in 1282 and Djerba (Ar. Jirba, on the eastern coast of Tunisia) in 1284. King Alfons secured privileges for the Christian mercenaries in the service of the ʿAbd al-Wādids in 1285. Herman L. Beck, *L'image d'Idrīs II, ses descendants de Fās et la politique sharīfienne des sultans marīnides, 656-869/1258-1465* (Leiden: Brill, 1989), p. 92; Jamil M. Abun-Nasr, *A History of the Maghrib*, 2nd Edn (Cambridge: Cambridge University Press, 1975), p. 124; Fancy, *Mercenary Mediterranean*, 78-9; see also 82-3, 89, 91-2.

[566] Al-Qalqashandī, *Ṣubḥ al-aʿshā*, 67. See also 59.

[567] *Matā usira aḥad min al-Muslimīn fī al-barr aw al-baḥr, min mabdaʾ tārīkh hādhihi al-muhādana min sāʾir al-bilād: sharqihā wa-gharbihā, wa-aqṣāhā wa-adnāhā, wa-waṣalū bihi ilā bilād al-malik Dūn Ḥakim wa-bilād akhawayhi wa-ṣihrayhi li-yabīʿūhu bihā, fa-yulzim al-malik Dūn Ḥakim wa-akhawayhi wa-ṣihrayhi fakk asrahu wa-ḥamalahu ilā bilād al-malik al-Ashraf.* Al-Qalqashandī, *Ṣubḥ al-aʿshā*, 68. I have modified the vowel markers for *asrahu* and *ḥamalahu*. Cf. the truce between King James I of Aragon and ʿAbd Allāh Muḥammad al-Mustansir bi-Allāh of Tunis, in 1271, which accorded protection only to Muslims from ʿAbd Allāh's domains. *Traités de paix et de commerce et documents divers concernant les relations des chrétiens avec les Arabes de l'Afrique Septentrionale au moyen âge*, ed. René Marie Louis de Mas-Latrie, 3 Vols. (Paris: J. Baur et Détaille, 1866-1872, reprint New York: Burt Franklin, 1964), II: 280-4; partly translated in *The Expansion of Europe: The First Phase*, ed. James Muldoon (Philadelphia: University of Pennsylvania Press, 1977), doc. 17 (pp. 86-7).

This new stipulation indicates Ashraf Khalīl's supreme claim to representation of, and therefore authority over, the entire *umma* since the account no longer specifies the place of provenance of the Muslims in question. Moreover, protection was now extended to all Muslims as far as the Crown of Aragon. James II demanded, in turn, that any Christian pilgrim carrying a document bearing the king's seal had to be protected while travelling to and from Jerusalem:

> it is incumbent that when any Frank from the territories of king Dūn Ḥākim and the territories of his two sons and kin, and those included in the truce with him, arrives, intending to go to Jerusalem on pilgrimage, he carry in his hand a letter from the king Dūn Ḥākim bearing its seal to the deputy of al-Malik al-Ashraf at Cairo and [also] bearing its seal to the deputy of al-Malik al-Ashraf at Jerusalem…[568]

Both sides stood to earn great symbolic capital from such terms. By concluding this arrangement, the Aragonese king assumed monopoly over secure pilgrimage routes to the focal points of Christian tradition, echoing the safe-passage for pilgrims that Richard I had secured from Ṣalāḥ al-Dīn. The Mamlūk sultan, on the other hand, boasted protection over all Muslims brought to Aragon for sale on the slave market.

James II's negotiation with a sultan ruling at the opposite end of the Mediterranean was symptomatic of how his diplomatic reach had expanded alongside (and beyond) his territorial acquisitions. And the Mamlūks' ability to secure protection for Muslims living abroad extended beyond Egypt and Greater Syria and was a dispensation which no other Muslim ruler of the Mediterranean could have secured at the time. Larger communities of religious minorities fell under the sway of each monarch, and their territorial expansion

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[568] *Wa-ʿalā annahu idhā waṣala min bilād al-malik Dūn Ḥakim wa-bilād akhawayhi wa-ṣihrayhi wa-muʿāhidayhi min al-Firanj man yaqṣid ziyārat al-Quds al-Sharīf, wa-ʿalā yadihi Kitāb al-malik Dūn Ḥākim wa-khatmuhu ilā nāʾib al-malik al-Ashraf bi-al-Quds al-Sharīf…* Al-Qalqashandī, *Ṣubḥ al-aʿshā*, 69; Irwin, *Early Mamluk Sultanate*, 115.

catapulted both royal courts into the Mediterranean political framework. The sphere of activity of the Mamlūk sultans continued to expand after the seventh/thirteenth century until their diplomatic sights included Muslims living under non-Muslim rule. By 894-5/1489, the Mamlūk sultan Qāytbāy (872-901/1468-1496) even warned King Ferdinand of Aragon against attacking the Muslims of Granada and threatened to punish the Christian clergy in Jerusalem in retaliation (Ferdinand retorted by extolling the Crown's record of tolerance towards Mudéjars in Spain).[569] And following the Christian conquest of Granada in 1492, the penultimate Mamlūk sultan, al-Ashraf Qānṣūh al-Ghūrī (906-922/1501-1516), again threatened persecution of Christians under Mamlūk rule.[570]

The same signs of the expansion of political power and diplomatic reach, and of rulers engaging in the shared minority discourse, can be found in the Egyptian-Ethiopian nexus. The medieval Ethiopic domains fell closer geographically to a Red Sea-Indian Ocean sphere of commercial and political activity. But the close diplomatic relationship between the Solomonid *nagaśt* and the Mamlūk sultans, and their interconnectedness with their respective extraterritorial minorities abroad, exemplifies the pattern of long-distance diplomacy involving minorities found in the western and eastern Mediterranean in the same period.

For example, the *negus* Saifa Arʾad (744-5—773-4/1344-72) confiscated the goods of Cairene Muslims visiting Solomonid territories to conduct trade. Saifa Arʾad's persecutions were also a direct response to Mamlūk reprisals against Coptic Christians. Solomonid relations with the Mamlūks continued to oscillate over the course of the reigns

[569] Meyerson, *Muslims of Valencia*, 98.
[570] Catlos, *Latin Christendom*, 214, 419.

of Saifa Ar'ad's immediate successors.[571] Dawit I (783-4—813-4/1382-1411) finally restored peaceful relations and managed to re-open contact with the Coptic Church while Yesḥaḳ (816-7—832-3/1414-29) turned to the "Franks" for help avenging the Copts who were then being targeted by the Mamlūks.[572] Evidence for how minorities were implicated in Mamlūk-Solomonid diplomatic relations is particularly clear-cut because the Solomonid court relied on the Copts for the appointment of the *abuna*, or the head of the Ethiopic monophysite church, which created a stable line of communication between the ruling house in Ethiopia and the Coptic minority in Egypt. This fact alone may have contributed to the survival of sources on Mamlūk-Solomonid diplomacy and Egyptian-Ethiopian relations in general.[573]

The developments surveyed in this chapter should be read as direct outcrops of the developments examined in Chapters 4, 5, and 6. These chapters deal with the various kinds of diplomatic agreements that benefitted minorities and the consequences that contravening diplomatic agreements had on the conditions of minorities and the authority of rulers. The evolution of partition truces, for example, shows that stipulations concerning extraterritorial minorities multiplied from the pre-Zengid to the Mamlūk periods. The participation of the popes, later crusading kings, Ayyūbids, and Mamlūks in the shared minority discourse should also be read as a return to earlier formulations visited in Chapter 3 that involved Christian and Muslim rulers across the Mediterranean ruling over

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[571] E. Ullendorff, J. S. Trimingham, C. F. Beckingham, W. Montgomery Watt, "Ḥabash, Ḥabasha", in *Encyclopaedia of Islam, Second Edition*, eds. B. Lewis, V. L. Mènage, Ch. Pellat, J. Schacht, 12 Vols. (Leiden: E. J. Brill, 1960-2005), III: 2-8.

[572] The *Encyclopaedia of Islam* entry on Habasha refers to an unpublished Ph.D. thesis by Hasan Habashi on the relations between the Mamlūks and the Solomonids, completed at the School of Oriental and Asian Studies in the University of London. I have not yet been able to access this thesis.

[573] See Edward Ullendorff, *The Ethiopians: An Introduction to Country and People*, 3rd Edn (London: Oxford University Press, 1973), pp. 57, 99, 101; J. S. Trimingham, *Islam in Ethiopia* (Oxford: Oxford University Press, 1952, reprint 1965), pp. 56, 63.

Muslim and Christian minorities respectively. The constants that linked these two periods across the Norman-Seljuk interlude are the fact that minorities continued to live under the rule of non-co-religionists, and that the same frameworks discussed in Chapter 2 continued to exist as reference points for the behaviour of rulers.

Conclusions

This dissertation offers a window into the inclusion of religious minorities in agreements and disputes between rulers in the Eastern Mediterranean region in the medieval period. Relating minorities and elites across religious identities first requires a methodological framework in which several perspectives can be studied simultaneously; *that* minorities mattered has to be proven across different contexts before determining *how* this fact translated into measures that were meaningful in similar ways for diverse rulers. To demonstrate the scope and resilience of these connections, I have attempted to survey a range of sources spanning a much broader time period than the brief interlude of Frankish-Muslim contact in the East. I have argued that the projection of authority provides one possible explanation for the repetitious protections granted to minorities, or recurring acts of violence committed against them, all in the context of fluctuating political and diplomatic relations between rulers—a pattern which a variety of sources from different time periods corroborates. This link between minorities and authority was mutually understandable to rulers across religious divides and across time, and it is on this basis that I propose that there was a shared minority discourse.

Authority also depended on territorial acquisitions or losses as well as the resources that a ruler or dynasty could muster. As such, the ability and need for ruling elites to represent minorities was often in flux. From the second-fifth/eighth-eleventh centuries, five empires maintained long-distance diplomatic relations that involved negotiations over the conditions of minorities: the ʿAbbāsids, Byzantines, Carolingians, Fāṭimids, and Western Umayyads. The ruling elite of these empires consistently aimed at improving the conditions

of co-religionists in "enemy territory" during their negotiations and were simultaneously pressured to protect the minorities in their own domains. The expansion of the Normans and Seljuks caused a disruption to pre-existing patterns of diplomacy that involved minorities when they conquered Sicily and Anatolia, respectively, in the late fourth/eleventh century. Up to that point, the field of diplomacy has been well researched, and scholars have drawn insightful conclusions on long-term trends.

However, the link between ruler-minority relations and diplomacy in the sixth/twelfth and seventh/thirteenth century remains understudied. My main aim has been to trace the brief disruption of the Mediterranean shared minority discourse just prior to the First Crusade and to posit its revitalization at the hands of ambitious sultans, popes, and crusading kings after a long series of encounters between Franks and Muslims (in the early to mid-sixth/twelfth century) had attuned their ears to the importance of representing confessional minorities. The Mamlūks, owing in part to the long, if turbulent, duration of their political system, continued this discourse while expanding and institutionalizing their bureaucracy and developing the conventions necessary for negotiating with a range of African, Mediterranean, Middle Eastern, and Central Asian polities. Their contributions to developing a formal system of communication should not, however, be detached from Ayyūbid and earlier precedents, from which they sought models.

Two crucial developments in diplomacy appeared in the sixth/twelfth and seventh/thirteenth centuries: the concept of extraterritoriality—sovereign territory ceded to enclaves of religious minorities—and the professionalization of the envoy. Some scholars have argued that these and other aspects of "modern" diplomacy stem from

developments in the Italian Renaissance, reinforcing a western-centric conceptualization of interstate communication by positing a western origin for it. Countering these claims, Daniel Goffman argues that a "new diplomacy" of the (Italian) Renaissance originated in Ottoman *ahidnâme*s (arguably descendants of the *Shurūt*) issued to Venetian and other merchant communities residing near Istanbul.[574] However, aspects of this new diplomacy, including the notion of extraterritoriality, are evident in earlier sources, as I have argued in Chapters 4, 6, and 7: the Treaty of Jaffa actually created a territorial concession of a similar nature for the Latin canons whose residence in Jerusalem had been negotiated by Richard and Ṣalāḥ al-Dīn. And each subsequent partition truce continued to create enclaves that came under the protection of two rulers simultaneously. The period also witnessed a gradual shift from the concept of the envoy as a mere bearer of messages to a professional, bilingual representative of a ruler. If we agree with Goffman that intelligence-gathering is another hallmark of modern diplomacy, then we can also find a parallel case of reconnaissance activity during the negotiations between Richard I and Ṣalāḥ al-Dīn and we must likewise deem it a stage in the development of modern diplomacy.[575] However, the essence of diplomacy lies at a much more fundamental level.

It may be the case, ironically, that the incredible tension between the third crusaders and the Ayyūbids—and the stalemate that their encounter brought about—created the ideal circumstances for a shift in attitudes towards "the other" and towards subjected minorities in particular. As might have been the case in the negotiations between Charlemagne and Hārūn al-Rashīd, Richard and Ṣalāḥ al-Dīn appear to have realized and come to respect their immense sense of ambition and mutual desire to rule Jerusalem and

[574] Goffman, *Ottoman Empire*, 186-7; idem, "New Diplomacy", 64-6, 73.
[575] Goffman, "New Diplomacy", 71.

control access to the city. For both parties, this mutual comprehension translated into negotiations over the privileges of religious minorities. We may go even further to propose that a shared recognition of the importance of representing minorities could have led Christians and Muslims to recognize fundamental and deeply-entrenched similarities in worldviews, to the extent that they could see in the other a reflection of the self.

Several issues remain unexamined in this thesis: how the offices of diplomat and *tarjumān* (later known as "dragoman") continued to develop after the conquest of Acre in 690/1291 if the Kingdom of Jerusalem was no longer in the picture; how the legal discourse around the Dhimma shifted in the Mamlūk period; and finally, how minorities reacted to being drawn into negotiations and disputes between rulers. The question of minorities in the Near East as a potential or perceived fifth column may be a particularly insightful area of inquiry that would bring minorities to the centre of a new history of Frankish-Muslim relations and question the assumption that rulers only responded to the expressive and instrumental behaviour of other rulers. Addressing this question would require an entirely new project.

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